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# PENNSYLVANIA BULLETIN

Volume 43

Number 30

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Pages 4201—4312

**Agencies in this issue**

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Department of Environmental Protection

Department of General Services

Department of Health

Department of Labor and Industry

Department of Transportation

Environmental Hearing Board

Fish and Boat Commission

Independent Regulatory Review Commission

Insurance Department

Office of Attorney General

Pennsylvania Alzheimer's Disease Planning  
Committee

Pennsylvania Public Utility Commission

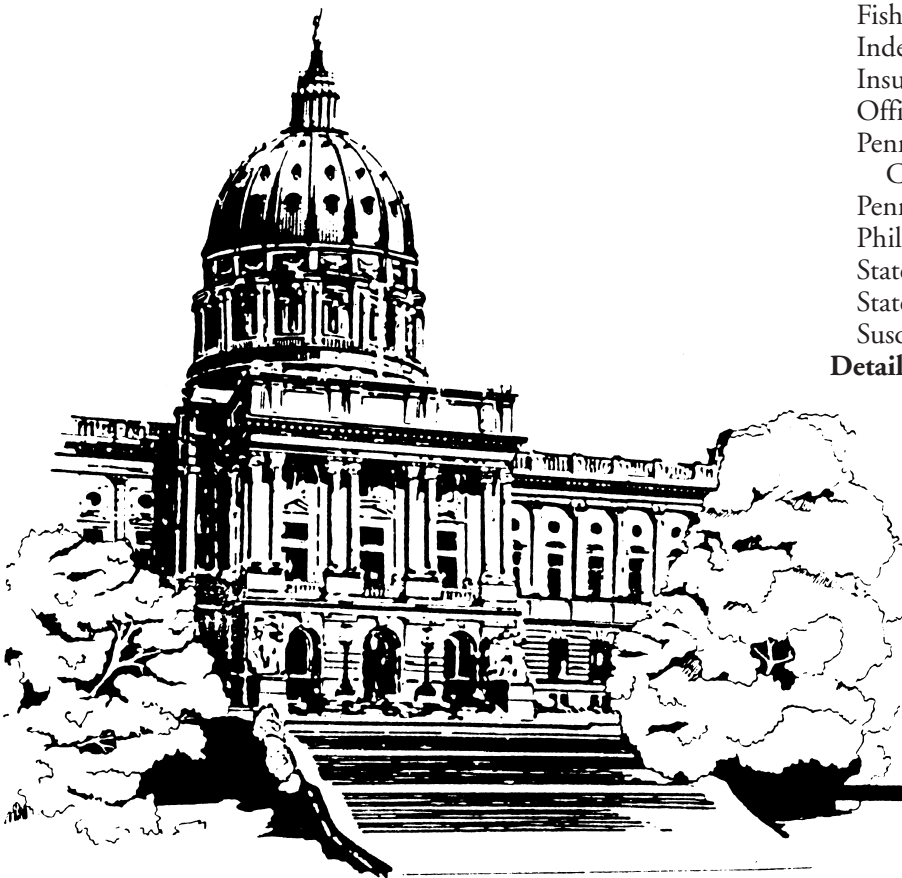
Philadelphia Parking Authority

State Board of Cosmetology

State Conservation Commission

Susquehanna River Basin Commission

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**Latest Pennsylvania Code Reporters  
(Master Transmittal Sheets):**

**No. 464, July 2013**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

## **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

## **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

## ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

## **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://www.pacode.com).

Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us](http://www.legis.state.pa.us).

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at [www.pabulletin.com](http://www.pabulletin.com).

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Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2013.

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# THE COURTS

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 5 ]

### Proposed Amendment to Pa.R.Crim.P. 550 and Proposed Revision to the Comment to Pa.R.Crim.P. 591

The Criminal Procedural Rules Committee is considering recommending that the Supreme Court of Pennsylvania amend Rule 550 (Pleas of Guilty Before Magisterial District Judge in Court Cases) to increase the amount of time available to a defendant to withdraw a guilty plea entered pursuant to Rule 550 and to provide a correlative revision to the Comment to Rule 591 (Withdrawal of Plea of Guilty or Nolo Contendere). This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

The text of the proposed amendments to the rules precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal in writing to the Committee through counsel,

Jeffrey M. Wasileski, Counsel  
Supreme Court of Pennsylvania  
Criminal Procedural Rules Committee  
601 Commonwealth Avenue, Suite 6200  
Harrisburg, PA 17106-2635  
fax: (717) 231-9521  
e-mail: criminalrules@pacourts.us

no later than Friday, September 20, 2013.

By the Criminal Procedural Rules Committee

NANCY L. BUTTS,  
Chair

#### Annex A

#### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

#### PART D. Proceedings in Court Cases Before Issuing Authorities

#### Rule 550. Pleas of Guilty Before Magisterial District Judge in Court Cases.

\* \* \* \* \*

(D) A defendant who enters a plea of guilty under this rule may, within [ 10 ] 30 days after sentence, change the plea to not guilty by so notifying the magisterial district judge in writing. In such event, the magisterial district judge shall vacate the plea and judgment of sentence, and the case shall proceed in accordance with Rule 547, as though the defendant had been held for court.

(E) [ Ten ] Thirty days after the acceptance of the guilty plea and the imposition of sentence, the magisterial district judge shall certify the judgment, and shall forward the case to the clerk of courts of the judicial district for further proceedings.

#### Comment

\* \* \* \* \*

Prior to accepting a plea of guilty under this rule, it is suggested that the magisterial district judge consult with the attorney for the Commonwealth concerning the case, concerning the defendant's possible eligibility for ARD or other types of diversion, and concerning possible related offenses that might be charged in the same complaint. See *Commonwealth v. Campana*, 452 Pa. 233, 304 A.2d 432 (1973), vacated and remanded, 414 U.S. 808 (1973), on remand [ , 414 U.S. 808 (1973), on remand ], 455 Pa. 622, 314 A.2d 854 (1974).

Before accepting a plea:

\* \* \* \* \*

(d) The magisterial district judge should advise the defendant that, if the defendant wants to change the plea to not guilty, the defendant, within [ 10 ] 30 days after imposition of sentence, must notify the magisterial district judge who accepted the plea of this decision in writing.

\* \* \* \* \*

See Rule 590 and the Comment thereto for further elaboration of the required colloquy. See also *Commonwealth v. Minor*, 467 Pa. 230, 356 A.2d 346 (1976), overruled on other grounds in *Commonwealth v. Minarik*, 493 Pa. 573, 427 A.2d 623, 627 (1981); *Commonwealth v. Ingram*, 455 Pa. 198, 316 A.2d 77 (1974); *Commonwealth v. Martin*, 445 [ A.2d ] Pa. 49, 282 A.2d 241 (1971).

While the rule continues to require a written plea incorporating the contents specified in paragraph (C), the form of plea was deleted in 1985 because it is no longer necessary to control the specific form of written plea by rule.

Paragraph (C) does not preclude verbatim transcription of the colloquy and plea.

The time limit for withdrawal of the plea contained in paragraph (D) was increased from 10 days to 30 days in 2013 to place a defendant who enters a plea to a misdemeanor before a magisterial district judge closer to the position of a defendant who pleads guilty to the same offense in common pleas court or a defendant who pleads guilty to a summary offense before a magisterial district justice. A 30-day time period for withdrawal of the plea is consistent with the 30-day period for summary appeal and the 30-day common pleas guilty plea appeal period.

Withdrawal of the guilty plea is the only relief available before a magisterial district judge for a defendant who has entered a plea pursuant to this rule. Any further challenge to the entry of the plea must be sought at the court of common pleas.

At the time of sentencing, or at any time within the [ 10-day ] 30-day period before transmitting the case to the clerk of courts pursuant to paragraph (E), the magis-

terial district judge may accept payment of, or may establish a payment schedule for, installment payments of restitution, fines, and costs.

\* \* \* \* \*

**Official Note:** Rule 149 adopted June 30, 1977, effective September 1, 1977; Comment revised January 28, 1983, effective July 1, 1983; amended November 9, 1984, effective January 2, 1985; amended August 22, 1997, effective January 1, 1998; renumbered Rule 550 and amended March 1, 2000, effective April 1, 2001; amended December 9, 2005, effective February 1, 2006; **amended , 2013, effective , 2013.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Report explaining the proposed changes to the rule increasing the time with withdrawal of the guilty plea from 10 to 30 days published for comment at 43 Pa.B. 4211 (July 27, 2013).**

#### PART H. Plea Procedures

#### Rule 591. Withdrawal of Plea of Guilty or Nolo Contendere.

\* \* \* \* \*

#### Comment

\* \* \* \* \*

For a discussion of plea withdrawals when a guilty plea or plea of *nolo contendere* includes a plea agreement, see the Comment to Rule 590.

**For procedures for plea withdrawals in third degree misdemeanor cases in which a guilty plea is entered before a magisterial district judge in a court case, see Rule 550(D).**

**Official Note:** Rule 320 adopted June 30, 1964, effective January 1, 1965; Comment added June 29, 1977, effective September 1, 1977; Comment revised March 22, 1993, effective January 1, 1994; Comment deleted August 19, 1993, effective January 1, 1994; new Comment approved December 22, 1995, effective July 1, 1996; amended July 15, 1999, effective January 1, 2000; renumbered Rule 591 and Comment revised March 1, 2000, effective April 1, 2001; **Comment revised , 2013, effective , 2013.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Report explaining the proposed revision to the Comment cross-referencing Rule 550 published for comment at 43 Pa.B. 4211 (July 27, 2013).**

#### REPORT

#### ***Proposed amendment to Pa.R.Crim.P. 550 Proposed revision to the Comment to Pa.R.Crim.P. 591***

#### **Withdrawal of Guilty Pleas under Rule 550**

As directed by the Supreme Court of Pennsylvania in the case of *Commonwealth v. Garcia*, \_\_\_ Pa. \_\_\_, 43 A.3d 470 (Pa. 2012), the Committee has been examining the question of relief from a guilty plea to a third degree misdemeanor entered before a magisterial district judge (MDJ) pursuant to Rule 550.

#### *Background*

In *Garcia*, the defendant was charged with various offenses arising from an altercation. On the day of the preliminary hearing, the defendant entered a guilty plea

to a third degree misdemeanor before the MDJ pursuant to Rule 550 and a second degree misdemeanor charge was dropped. About a month later, defendant filed a counseled notice of appeal to the Superior Court as well as a notice of summary appeal in the common pleas court. The summary appeal was subsequently dismissed by the common pleas court and no appeal from that dismissal was taken.

In the Superior Court appeal, the defendant alleged that she had not been aware that she had entered a guilty plea but only “signed some papers” as part of an agreement with the prosecutor that “all the criminal charges would be dropped.” She alleged that she did not know she was pleading guilty to a misdemeanor charge that was part of a plea agreement. She stated that she failed to withdraw the guilty plea within 10 days, as provided by Rule 550(D), because she did not know that she had pled guilty.

The Superior Court concluded that Rule 550 provided no relief to a defendant who seeks to withdraw a guilty plea made before an MDJ after the ten-day period specified in Rule 550(D) has expired. *Commonwealth v. Garcia*, 5 A.3d 397 (Pa. Super. 2010). The Superior Court then created a procedure to cover this gap, holding that a defendant may file an appeal with the common pleas court within thirty days after the case is transferred there from the MDJ. If that appeal is denied, the defendant will have thirty days thereafter to appeal to the Superior Court. They developed this procedure by comparing the language in the Rule 550 Comment that states “[o]nce the case is forwarded as provided in this rule . . . the court of common pleas has exclusive jurisdiction over the case and any plea incident thereto,” with the provisions of Rule 720 that allows a defendant to file a notice of appeal within thirty days of imposition of sentence if the defendant did not file post-sentence motions.

Before the Pennsylvania Supreme Court, the Commonwealth argued that the Superior Court had no jurisdiction because there was no order of the court of common pleas for the Superior Court to review pursuant to 42 Pa.C.S. § 742 and there is no statutory authority for the Superior Court to review an appeal arising from an MDJ court. Additionally, the Commonwealth argued that the only relief from a guilty plea entered pursuant to Rule 550 is by withdrawal of the guilty plea as provided in the rule, including notifying the MDJ of the desire to withdraw the guilty plea.

The defendant argued that there is a gap in the rules that allows a defendant who enters a plea to an M3 before an MDJ to have fewer rights than a defendant who enters a plea to the same offense in the court of common pleas. Similarly, a defendant pleading to a summary offense before an MDJ would have more rights than a defendant pleading to an M3 before the same MDJ. The defendant also argued that once the MDJ certified the sentencing order in her case and forwarded the case to the common pleas court, the order became final and appealable to the Superior Court.

The Supreme Court reversed the Superior Court, finding that a final order from the court of common pleas had not been filed and the Superior Court had no jurisdiction to entertain appeals from orders of the district courts. Therefore the Supreme Court has no jurisdiction to review the matter either.



In a footnote at the end of the majority opinion, the Court stated:

We acknowledge what can be perceived as an inconsistency in the rules of procedure as applied to defendants who plead guilty to a misdemeanor in the district court as compared to defendants who plead to the same charge in the Court of Common Pleas and as applied to defendants who plead in the district court to misdemeanors as compared to defendants who plead in the district court to summary offenses. As we cannot reach that issue in this case, we recommend that the Criminal Procedural Rules Committee considered this conundrum.

Justice Saylor filed a concurrence in which he took note of the phrase “further proceedings” in the Rule 550(E) procedures for transfer of the case from the MDJ to the common pleas court and of the Pa.R.A.P. 905 obligation to transmit misfiled appeals to the correct court, suggesting that the appeal should have been transferred to the common pleas court for adjudication. He also notes his disagreement with the Commonwealth’s argument that the Rule 550(D) withdrawal-of-plea procedure forecloses all other avenue for withdrawal of a demonstrably involuntary plea.

#### Discussion

Initially, the Committee examined the circumstances in which relief would be sought for a Rule 550 guilty plea outside of the 10-day withdrawal period. The Committee concluded that the most likely scenario would be for a defendant who enters the plea *pro se* but subsequently seeks advice of counsel due to learning of some collateral consequence to the entry of the plea, such as ineligibility to enter the military or receive a professional license.

The Committee concluded that a majority of these types of cases could be resolved simply by permitting a defendant 30 days to withdraw the appeal. This would be consistent with the 30-day period for summary appeal and the 30-day common pleas guilty plea appeal period. In other words, the case would stay with the MDJ court for 30 days after the entry of the plea during which the plea could be withdrawn.

The Committee examined the history of Rule 550 to determine if there were any impediments to increasing the period for withdrawal of the guilty plea. Based on that history, the provisions regarding the time limitation for withdrawal of the guilty plea and the certification of the case to the court of common pleas were entirely products of the rules, implemented as a means of providing structure to statutory changes to MDJs’ jurisdiction to permit them to accept guilty pleas in third degree misdemeanor cases. The Committee concluded that the period for withdrawal as well as the period for certifying the case to the court of common pleas could be changed from 10 days to 30 as a rules matter.

This would be the only relief available while the case remained at the MDJ court. In those exceptional cases in which relief is sought after the 30-day period for withdrawal, further relief would have to be sought at the court of common pleas, likely by a motion to withdraw filed *nunc pro tunc*.

Therefore, the proposal provides for a simple change to the language to Rule 550 changing the period for withdrawal of the guilty plea from 10 to 30 days. Additionally, the time at which the case would be certified from the MDJ court to the court of common pleas would be increased from 10 to 30 days. Comment language would describe the reasoning for this change. Finally a cross-

reference to Rule 550 would be added to the Comment to Rule 591 (Withdrawal of Plea of Guilty or *Nolo Contendere*) to clarify that when a guilty plea to third degree misdemeanor is entered before an MDJ, the withdrawal of the plea would be made pursuant to Rule 550.

[Pa.B. Doc. No. 13-1383. Filed for public inspection July 26, 2013, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Philadelphia Municipal Court, Traffic Division; Joint Administrative Order No. 01 of 2013

#### Order

*And Now*, this 10th day of July, 2013, in accordance with the provisions of Act 17 of 2013, it is hereby *Ordered, Adjudged and Decreed* that effective on June 19, 2013:

(1) The Philadelphia Traffic Court shall be known as the “Philadelphia Municipal Court, Traffic Division.”

(2) All references to the “Philadelphia Traffic Court” in statutes, ordinances, rules, regulations, pleadings, notices, orders, reports and other forms shall be deemed to be references to the “Philadelphia Municipal Court, Traffic Division.”

(3) Until further notice, all hearings and other proceedings concerning prosecutions for summary offenses arising under the Vehicle Code, 75 Pa.C.S. § 101 *et seq.*, and ordinances enacted pursuant to Title 75 shall continue to be held at 800 Spring Garden Street, Philadelphia, PA 19123.

*It Is Further Ordered, Adjudged and Decreed* that in order to provide an efficient and cost-minimizing transition, the Philadelphia Municipal Court, Traffic Division may continue to use the current supply of citations, notices, orders, reports, stationary and other forms which contain references to the Philadelphia Traffic Court until such time as the current supply is depleted and updated forms can be ordered in a fiscally prudent manner.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1; and with the March 26, 1996 order of the Supreme Court of Pennsylvania, Eastern District, No. 164 Judicial Administration, Docket No. 1, as amended. As required by Pa.R.Crim.P. No. 105(D), this Order has been submitted to the Supreme Court’s Criminal Procedural Rules Committee for review and written notification has been received from the Committee certifying that this Order is not inconsistent with any general rule of the Supreme Court. This Order shall be filed with the Prothonotary in a docket maintained for Orders issued by the First Judicial District of Pennsylvania, and, as required by Pa.R.Crim.P. No. 105(E), two certified copies of this Order and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. This Order will become effective immediately. As required by Pa.R.Crim.P. No. 105(F) one certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts

and will also be published on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx> and posted on the First Judicial District's website at <http://courts.phila.gov>. Copies shall be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

*By the Court*

HONORABLE MARSHA H. NEIFIELD,  
President Judge  
Philadelphia Municipal Court

[Pa.B. Doc. No. 13-1384. Filed for public inspection July 26, 2013, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### DAUPHIN COUNTY

#### Crime Victim's Compensation Fund and Victim Witness Services Fund; No. 0010-11-MD-2013; AO No. AO-10-2013

#### Administrative Order of Court

*And Now, To Wit*, this 12th day of July, 2013, this Court pursuant to Title 18, Section 11.1101, Costs, (a) Approves the increased assessment of the Crime Victim's Compensation Fund and Victim Witness Services Fund to a total of \$100.00, unless otherwise ordered by court. This cost shall be imposed at both the Magisterial District Courts (ungraded misdemeanors and misdemeanor 3) and the Common Pleas Court of the 12th Judicial District notwithstanding any statutory provision to the contrary.

Pursuant to Title 18, Section 11.1101 Costs (b) Disposition,

(1) Thirty-five dollars of the costs imposed under subsection (a)(1) and (2) plus 30% of the costs imposed under subsection (a)(1) which exceed \$60.00 (a total of \$47.00) shall be paid into the Crime Victim's Compensation Fund, and

(2) Twenty-five dollars of the costs imposed under subsection (a)(1) and (2) plus 70% of the costs imposed under subsection (a)(1) and (2) which exceed \$60.00 (a total of \$53.00) shall be paid into the Victim Witness Services Fund.

The costs assessed and collected under Section (b)(2) that exceed \$60.00 shall be returned by the Pennsylvania Commission on Crime and Delinquency to the County of Dauphin for victim witness services.

*It Is Ordered* that this Administrative Order shall be effective thirty (30) days after the publication thereof in the *Pennsylvania Bulletin*, and shall govern all matters then pending.

*It Is Further Ordered* that in accordance with Pa.R.Crim.P. 105, that District Court Administrator shall:

(a) File seven (7) certified copies hereof with the Administrative Office of Pennsylvania Courts,

(b) Distribution two (2) certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,

(c) File one (1) certified copy hereof with the Criminal Procedural Rules Committee,

(d) Cause a copy hereby to be published in the *Dauphin County Reporter* once a week for two successive weeks at the expense of the County of Dauphin, and

(e) Supervise the distribution hereof to all Judges and all members of the Criminal Bar of this Court.

*By the Court*

TODD A. HOOVER,  
President Judge

[Pa.B. Doc. No. 13-1385. Filed for public inspection July 26, 2013, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### FISH AND BOAT COMMISSION

#### [ 58 PA. CODE CHS. 51, 69, 93 AND 113 ]

#### General Provisions, Fishing and Boating

The Fish and Boat Commission (Commission) amends Chapters 51, 69, 93 and 113. The Commission is publishing this final-omitted rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code) and the following authorities.

##### A. *Effective Date*

This final-omitted rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

##### B. *Contact Person*

For further information on the final-omitted rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-omitted rulemaking is available on the Commission's web site at [www.fish.state.pa.us](http://www.fish.state.pa.us).

##### C. *Statutory Authority*

This final-omitted rulemaking is published under the statutory authority of section 506 of The Administrative Code of 1929 (71 P.S. § 186). This final-omitted rulemaking is also published in accordance with section 204 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204), known as the Commonwealth Documents Law (CDL), which provides that an agency may omit or modify the procedures specified in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) if the administrative regulation or change relates to agency organization, management or personnel; agency procedure or practice; or Commonwealth property or if the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in the order adopting the administrative regulation or change therein) that the procedures specified in sections 201 and 202 of the CDL are under the circumstances impracticable, unnecessary or contrary to the public interest.

##### D. *Purpose and Background*

Under § 51.5 (relating to correction of regulations), the Executive Director is authorized to take immediate corrective action on the Commission's behalf if the Executive Director or the Commission's staff discovers an error or omission in the text of a Commission regulation as published in the *Pennsylvania Code* or *Pennsylvania Bulletin*. The purpose of this final-omitted rulemaking is to update the Commission's regulations with current contact information, including organizational names, addresses and telephone numbers; to remove references to the miniature registration certificate validation decals that the Commission no longer issues; and to correct a cross reference in § 93.4(c) (relating to certificate of registration).

##### E. *Summary of Changes*

(1) A recent review of regulations by staff revealed that some of the Commission's contact information, such as organizational names, addresses and telephone numbers, is out-of-date and in need of updating. The Commission is amending §§ 51.2, 69.43, 93.3, 93.12, 93.119 and 113.4 to read as set forth in Annex A.

(2) Due to changes in the format of boat registration decals and cards, the Commission no longer issues the miniature decal that was previously affixed to the back of the registration card. The registration card simply needs to be signed in ink. Therefore, references to the registration certificate validation decals need to be removed from § 93.4 and § 93.7 (relating to duplicate certificate of registration). The Commission is amending §§ 93.4(a) and 93.7 to read as set forth in Annex A.

(3) A recent review of § 93.4 by staff revealed that subsection (c) referenced § 117.2(f) "(relating to standards)." However, when Chapter 117 (relating to boat rental businesses) was amended in 2000, the chapter was reorganized and § 117.2 was renamed "inspections" and subsection (f) was moved to new § 117.3 (relating to responsibilities). Therefore, the reference to § 117.2(f) must be corrected. The Commission is amending § 93.4(c) to read as set forth in Annex A.

##### F. *Paperwork*

This final-omitted rulemaking will not increase paperwork and will not create new paperwork requirements.

##### G. *Fiscal Impact*

This final-omitted rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The final-omitted rulemaking will not impose new costs on the private sector or the general public.

##### H. *Public Involvement*

Under section 204 of the CDL, an agency may omit the procedures specified in sections 201 and 202 of the CDL if the administrative regulation or change relates to agency organization, management or personnel or agency procedure or practice. The Commission, therefore, did not publish these amendments as a notice of proposed rulemaking or solicit public comment.

##### *Findings*

The Commission finds that:

(1) Errors and inaccuracies were discovered in §§ 51.2, 69.43, 93.3, 93.4, 93.7, 93.12, 93.119 and 113.4.

(2) Under § 51.5, the Executive Director is authorized to take immediate corrective action on behalf of the Commission, including, if necessary, the issuance of an order to make the necessary correction, if the Executive Director or the Commission's staff discovers an error in the text of a Commission regulation as published in the *Pennsylvania Code*.

(3) Because the nature of the amendments is minor and designed to correct errors and inaccuracies and because the changes relate to Commission organization and procedure or practice, the Commission finds that the procedures in sections 201 and 202 of the CDL are unnecessary.

##### *Order*

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 51, 69, 93 and 113, are amended by amending §§ 51.2, 69.43, 93.3, 93.4, 93.7, 93.12, 93.119 and 113.4 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.



(b) The Executive Director will submit this order and Annex A to the Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and Annex A and deposit the same with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

JOHN A. ARWAY,  
*Executive Director*

**Fiscal Note:** 48A-246. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 58. RECREATION

#### PART II. FISH AND BOAT COMMISSION

##### Subpart A. GENERAL PROVISIONS

#### CHAPTER 51. ADMINISTRATIVE PROVISIONS

##### Subchapter A. PRELIMINARY PROVISIONS

#### § 51.2. Commission offices.

(a) The address of the principal office of the Commission is:

Pennsylvania Fish and Boat Commission  
Post Office Box 67000  
Harrisburg, Pennsylvania 17106-7000

(b) The address of the Bureau of Fisheries, the Bureau of Hatcheries and the Bureau of Engineering of the Commission is as follows:

Pennsylvania Fish and Boat Commission  
450 Robinson Lane  
Bellefonte, Pennsylvania 16823

(c) The address of the Division of Licensing and Registration is:

Pennsylvania Fish and Boat Commission  
Division of Licensing and Registration  
Post Office Box 67000  
Harrisburg, Pennsylvania 17106-7000

##### Subpart B. FISHING

#### CHAPTER 69. FISHING IN LAKE ERIE AND BOUNDARY LAKES

##### Subchapter E. TAGGED FISH CONTESTS IN BOUNDARY LAKES

#### § 69.43. Applications for permits.

(a) Applications for permits to conduct tagged-fish contests shall be submitted on forms approved by the Commission.

(b) The permit application shall be accompanied by an original letter, signed by the head of the agency or a designee responsible for regulating fishing and boating in the state, province or nation which bounds the boundary lake where the proposed contest is to be conducted indicating that the other state permits the proposed contest.

(c) The application shall include information on the species of fish to be marked and tagged, the number and species of fish to be released, the anticipated number of anglers and boaters who may participate in the contest, the duration of the contest, the number of fish expected to be caught by participants in the contest and a description of the applicant's assessment of the impacts that the

tagged-fish contest will have on fisheries resources of Commonwealth waters where the contest is to be conducted.

(d) To permit the Commission adequate time to review the fishery resource implications of a proposed tagged-fish contest on Commonwealth boundary lakes, the application for a proposed contest shall be received by the Commission at the address indicated in subsection (f) at least 90 days in advance of the date of the proposed contest. The 90-day time limit for filing permit applications for tagged-fish contests is an exception to § 51.42 (relating to applications).

(e) Permits issued under section 2907.1 of the code are deemed by the Commission to be permits for the protection and management of the particular species of fish targeted by the proposed tagged-fish contest. The application for a permit shall be accompanied by a permit fee of \$100.

(f) Questions concerning permit applications may be referred to the Bureau of Law Enforcement at (717) 705-7861. Applications for permits are available from and shall be submitted to:

Pennsylvania Fish and Boat Commission  
Bureau of Law Enforcement  
Post Office Box 67000  
Harrisburg, Pennsylvania 17106-7000

##### Subpart C. BOATING

#### CHAPTER 93. BOAT REGISTRATION AND NUMBERING

##### Subchapter A. REGISTRATION OF BOATS

#### § 93.3. Application for boat registration.

(a) *New registration.* Application for a boat registration for a new boat or a used boat that was not previously registered in this Commonwealth shall conform with the following:

(1) *Forms.* The owner of a boat desiring registration shall apply on Form REV-336, provided by the Commission. The completed form shall be forwarded to the Fish and Boat Commission, Division of Licensing and Registration.

\* \* \* \* \*

(b) *Renewals.* Only Forms PFBC-730a and PFBC-733 shall be used to renew registrations of boats which are being kept by the same owner. If the registration has lapsed, the owner shall obtain Form PFBC-730a or PFBC-733 from the Division of Licensing and Registration of the Commission to renew the lapsed registration.

\* \* \* \* \*

#### § 93.4. Certificate of registration.

(a) The owner shall sign the certificate of registration, Form PFBC-730b, in ink to validate the registration.

(b) The Commission will mark a boat rental business's certificate of registration with "rental business." When the motor is not rented with the boat, the description of the propulsion and type of fuel shall be omitted from the certificate of registration.

(c) A boat's owner or representative who rents or leases a boat less than 26 feet long to someone else for noncommercial use for less than 7 days may retain the certificate of registration at the place from which the boat is rented. These boats shall be identified as required by § 117.3(d) (relating to responsibilities) while in use and comply with this subpart. A copy of the lease or rental

agreement, signed by the owner or his representative and by the person renting or leasing the boat, that shows the registration number of the boat and the period of time for which the boat is rented or leased, shall be onboard and presented for inspection by an authorized officer requesting it.

(d) Each dealer's, jobber's and manufacturer's certificate shall be plainly marked "dealer," "jobber" or "manufacturer" in lieu of the description of the boat. The certificate of registration shall be onboard when a boat displaying the number is in use.

(e) *Boating without a certificate of registration onboard.*

(1) When a resident of this Commonwealth is found operating a boat without the required certificate of registration onboard and claims that the boat is validly registered, the apprehending officer shall give the operator 7 days to produce the original certificate.

(2) If it is inconvenient for the operator to produce the certificate in person, the officer may permit the operator to mail the original certificate to the officer for verification. The operator shall provide a stamped self-addressed envelope for the return of the certificate. If the officer permits the operator to mail the original certificate to the officer, the officer shall provide the operator with a receipt or other documentation allowing continued operation of the boat during the period the original certificate is not in possession.

(3) If the operator fails to send the original certificate within the 7-day period, the officer shall institute summary proceedings against the operator in the manner prescribed by law.

**§ 93.7. Duplicate certificate of registration.**

The Commission will issue a duplicate certificate of registration upon receipt of Form PFBC-730a or Form PFBC-732 from the registered owner and payment of the appropriate fee.

**§ 93.12. Dealers, manufacturers and jobbers.**

\* \* \* \* \*

(g) Boat dealers, jobbers or manufacturers who take in trade a boat bearing previous Pennsylvania boat registra-

tion are required, within 15 days of obtaining the boat, to place the boat under the dealer/jobber/manufacturer's dealer registration. The dealer, jobber or manufacturer shall complete Form PFBC-336 and forward it to the Division of Licensing and Registration. No fee is applicable to a transaction when dealers place boats taken in trade under their dealer registrations. It is unlawful for a boat dealer, jobber or manufacturer to operate or allow to be operated a boat received in trade bearing a Pennsylvania boat registration until the boat is placed under their dealer registration under this subsection.

**Subchapter B. TITLING OF BOATS**

**§ 93.119. Forms.**

(a) The Commission will provide suitable forms of applications, title, notice of security interests, and other notices and forms necessary to carry out this subchapter.

(b) Except as otherwise provided in this subchapter, all forms and notices required in this subchapter shall be forwarded to the Fish and Boat Commission, Division of Licensing and Registration, Post Office Box 67000, Harrisburg, Pennsylvania 17106-7000.

**CHAPTER 113. AIDS TO NAVIGATION AND OBSTRUCTIONS TO NAVIGATION**

**§ 113.4. Permits.**

(a) Persons, including clubs, individuals, State agencies, municipalities and other groups, wishing to establish an aid shall apply for permission from the Commission on Form PFBC-227 at least 30 days prior to the intended date of installation. Application forms are available from and should be submitted to:

Aids to Navigation  
Bureau of Law Enforcement  
Pennsylvania Fish and Boat Commission  
Post Office Box 67000  
Harrisburg, Pennsylvania 17106-7000

(b) The authorization of the placement of a private aid to navigation does not grant exclusive privileges nor does it eliminate the necessity to comply with other Federal or state permitting requirements.

[Pa.B. Doc. No. 13-1386. Filed for public inspection July 26, 2013, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 16, 2013.

Under section 503.E of the Department of Banking and Securities Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Conversions

| <i>Date</i> | <i>Name and Location of Applicant</i>   | <i>Action</i> |
|-------------|---|---------------|
| 7-10-2013   | <i>From:</i> Fox Chase Bank<br>Hatboro<br>Montgomery County<br><br><i>To:</i> Fox Chase Bank<br>Hatboro<br>Montgomery County<br><br>Application for approval to convert from a Federal savings bank to Pennsylvania State-chartered savings bank.                         | Filed         |
| 7-10-2013   | <i>From:</i> County Savings Bank<br>Essington<br>Delaware County<br><br><i>To:</i> County Savings Bank<br>Essington<br>Delaware County<br><br>Application for approval to convert from a Federal mutual savings bank to Pennsylvania State-chartered mutual savings bank. | Filed         |

#### Branch Applications

##### De Novo Branches

| <i>Date</i> | <i>Name and Location of Applicant</i>                 | <i>Location of Branch</i>                           | <i>Action</i> |
|-------------|---|---|---------------|
| 7-2-2013    | Somerset Trust Company<br>Somerset<br>Somerset County | 3246 Chestnut Ridge Road<br>Grantsville<br>Maryland | Opened        |

##### Discontinued Branches

| <i>Date</i> | <i>Name and Location of Applicant</i>                | <i>Location of Branch</i>                                     | <i>Action</i> |
|-------------|--|---|---------------|
| 6-28-2013   | First Commonwealth Bank<br>Indiana<br>Indiana County | 320 North Center Avenue<br>New Stanton<br>Westmoreland County | Closed        |
| 6-28-2013   | First Commonwealth Bank<br>Indiana<br>Indiana County | 1801 Jancey Street<br>Pittsburgh<br>Allegheny County          | Closed        |

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

No activity.

The Department's web site at [www.dobs.state.pa.us](http://www.dobs.state.pa.us) includes public notices for more recently filed applications.

GLENN E. MOYER,  
Secretary

[Pa.B. Doc. No. 13-1387. Filed for public inspection July 26, 2013, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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#### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

| <i>Location</i> | <i>Permit Authority</i> | <i>Application Type or Category</i>                            |
|-----------------|-------------------------|--|
| Section I       | NPDES                   | Renewals   |
| Section II      | NPDES                   | New or Amendment   |
| Section III     | WQM                     | Industrial, Sewage or Animal Waste; Discharge into Groundwater |
| Section IV      | NPDES                   | MS4 Individual Permit  |
| Section V       | NPDES                   | MS4 Permit Waiver  |
| Section VI      | NPDES                   | Individual Permit Stormwater Construction                      |
| Section VII     | NPDES                   | NOI for Coverage under NPDES General Permits                   |

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### I. NPDES Renewal Applications

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>                         | <i>County &amp;<br/>Municipality</i>      | <i>Stream Name<br/>(Watershed No.)</i>        | <i>EPA Waived<br/>Y/N?</i> |
|-----------------------------|--|---|---|----------------------------|
| PA0036765<br>(Sewage)       | Tyler Memorial Hospital<br>880 SR 6 W<br>Tunkhannock, PA 18657 | Wyoming County<br>Tunkhannock<br>Township | Unnamed Tributary to<br>Taques Creek<br>(4-G) | Y                          |

*Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701*

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed No.)</i> | <i>EPA Waived<br/>Y/N?</i> |
|-----------------------------|---|--------------------------------------|--|----------------------------|
| PA0228508<br>(Sewage)       | Huston Township Authority<br>Julian WWTP<br>970 Railroad Avenue<br>Julian, PA 16844 | Centre County<br>Huston Township     | Bald Eagle Creek<br>(9-C)              | Y                          |
| PA0101427                   | Brian J Buchsen SF System<br>383 Irish Road<br>Coudersport, PA 16915                | Potter County<br>Sweden Township     | UNT to Trout Run<br>(16-C)             | Y                          |

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>                                     | <i>County &amp;<br/>Municipality</i>    | <i>Stream Name<br/>(Watershed #)</i>              | <i>EPA Waived<br/>Y/N</i> |
|-----------------------------|--|---|---|---------------------------|
| PA0219479<br>Sewage         | Salem Ridge Village<br>SR 136<br>Salem Church Rd<br>Belle Vernon, PA 15012 | Westmoreland<br>County<br>Rostraver Twp | UNT to Pollock Run                                | Y                         |
| PA0253332<br>Sewage         | Etna Boro<br>437 Butler St<br>Etna, PA 15223                               | Allegheny County<br>Etna Boro           | Little Pine Creek, Pine<br>Creek, Allegheny River | Y                         |

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

| <i>NPDES No.<br/>(Type)</i>        | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i>         | <i>Stream Name<br/>(Watershed#)</i>                                     | <i>EPA Waived<br/>Y/N?</i> |
|------------------------------------|---|--|---|----------------------------|
| PA0102652<br>(Sewage)              | Countryside MHP<br>8158 Bargain Road<br>McKean, PA 16426-1322                 | Erie County<br>McKean Township               | Unnamed Tributary to Elk<br>Creek<br>(15-A)                             | Y                          |
| PA0238686<br>(Sewage)              | Brandywine Village STP<br>PO Box 449<br>Mars, PA 16046-0449                   | Butler County<br>Connoquenessing<br>Township | Unnamed Tributary to<br>Little Connoquenessing<br>Creek<br>(20-C)       | Y                          |
| PA0101117<br>(Sewage)              | Shady Acres MHP<br>16050 Route 98<br>Edinboro, PA 16412                       | Crawford County<br>Cussewago Township        | Un-named tributary of<br>Cussewago Creek<br>(16-D)                      | Y                          |
| PA0103811<br>(Industrial<br>Waste) | Northwest Sanitary Landfill,<br>1436 W Sunbury Road<br>West Sunbury, PA 16061 | Butler County<br>Cherry & Clay<br>Townships  | Unnamed Tributaries of<br>South Branch Slippery<br>Rock Creek<br>(20-C) | Y                          |
| PA0240125<br>(Sewage)              | New Bedford STP<br>1172 State Route 208,<br>Pulaski, PA 16143                 | Lawrence County<br>Pulaski Township          | Deer Creek<br>(20-A)  | Y                          |
| PA023945<br>(Sewage)               | Pulaski Township STP<br>1172 State Route 208,<br>Pulaski, PA 16143            | Lawrence County<br>Pulaski Township          | Shenango River<br>(20-A)  | Y                          |
| PA0222267<br>(Sewage)              | Lovetts MHP<br>4800 Laacock Road<br>Edinboro, PA 16412                        | Erie County<br>Washington<br>Township        | Darrows Creek<br>(16-A)   | Y                          |



## II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401*

**PA0244571 A-1**, SIC Code 2899, **CRC Industries, Inc.**, 885 Louis Drive, Warminster, PA 18974. Facility Name: CRC Industries Warminster Facility GWCU. This existing facility is located in Warminster Township, **Bucks County**.

Description of Existing Activity: The application is for an NPDES permit amendment to incorporate stormwater permit requirements into an existing individual permit for discharge of industrial waste. The existing general permit for stormwater discharge, PAR230054, will be cancelled upon issuance of the amended individual permit. Outfall 001 is for the discharge of treated groundwater from a remediation system. The contaminated groundwater is pumped and treated by air stripper and activated carbon prior to discharge. There are no changes to the permit requirements for Outfall 001. Outfalls 002, 003 and 004 are for the discharge of site stormwater.

The receiving stream(s), Unnamed Tributary to Little Neshaminy Creek, is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a long term design flow of 0.043 MGD.

| <i>Parameters</i>      | <i>Mass (lb/day)</i>       |                          |                             | <i>Concentration (mg/l)</i> |                          |                             |
|------------------------|----------------------------|--------------------------|-----------------------------|-----------------------------|--------------------------|-----------------------------|
|                        | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
| Flow (MGD)             | Report                     | Report                   | XXX                         | XXX                         | XXX                      | XXX                         |
| pH (S.U.)              | XXX                        | XXX                      | 6.0                         | XXX                         | XXX                      | 9.0                         |
| Total Suspended Solids | XXX                        | XXX                      | XXX                         | 30                          | XXX                      | 75                          |
| Tetrachloroethylene    | XXX                        | XXX                      | XXX                         | 0.005                       | XXX                      | 0.0125                      |
| Trichloroethylene      | XXX                        | XXX                      | XXX                         | 0.005                       | XXX                      | 0.0125                      |
| Vinyl Chloride         | XXX                        | XXX                      | XXX                         | 0.00024                     | XXX                      | 0.0006                      |

The proposed effluent limits for Outfall 004 are based on a design flow of an average storm event.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                             | <i>Concentration (mg/l)</i> |                          |                             |
|-------------------------|----------------------------|--------------------------|-----------------------------|-----------------------------|--------------------------|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
| Chemical Oxygen Demand  | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |
| Total Suspended Solids  | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |
| Oil and Grease          | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |
| Total Kjeldahl Nitrogen | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |
| Total Phosphorus        | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |
| Tetrachloroethylene     | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |
| Toluene                 | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |
| Trichloroethylene       | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |
| Total Xylenes           | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |
| Vinyl Chloride          | XXX                        | XXX                      | XXX                         | XXX                         | Report                   | XXX                         |

In addition, the permit contains the following major special conditions:

- Remedial Measures if Public Nuisance
- Small Stream Discharge
- BAT/ELG Reopener
- Change of Ownership
- Instantaneous Maximum Limitations
- Proper Sludge Disposal
- Stripper Tower Wastewater
- Visual Inspection of System
- Laboratory Certification
- Stormwater Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**PA0084794**, Sewage, SIC Code 3999, **The York Water Company**, 130 E Market Street, York, PA 17405-7089. Facility Name: Asbury Pointe STP. This existing facility is located in East Manchester Township, **York County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Codorus Creek, is located in State Water Plan watershed 7-H and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0784 MGD.

| <i>Parameters</i>                  | <i>Mass (lb/day)</i>       |                         |                | <i>Concentration (mg/l)</i> |     | <i>Instant.<br/>Maximum</i> |
|------------------------------------|----------------------------|-------------------------|----------------|-----------------------------|-----|-----------------------------|
|                                    | <i>Average<br/>Monthly</i> | <i>Total<br/>Annual</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  |     |                             |
| Flow (MGD)                         | Report                     | Report<br>Daily Max     | XXX            | XXX                         | XXX | XXX                         |
| pH (S.U.)                          | XXX                        | XXX                     | 6.0            | XXX                         | XXX | 9.0                         |
| Dissolved Oxygen                   | XXX                        | XXX                     | 5.0            | XXX                         | XXX | XXX                         |
| Total Residual Chlorine            | XXX                        | XXX                     | XXX            | 0.50                        | XXX | 1.00                        |
| CBOD <sub>5</sub>                  | XXX                        | XXX                     | XXX            | 25                          | XXX | 50                          |
| Total Suspended Solids             | XXX                        | XXX                     | XXX            | 30                          | XXX | 60                          |
| Fecal Coliform (CFU/100 ml)        |                            |                         |                |                             |     |                             |
| May 1 - Sep 30                     | XXX                        | XXX                     | XXX            | 200                         | XXX | 1,000                       |
| Oct 1 - Apr 30                     | XXX                        | XXX                     | XXX            | Geo Mean<br>2,000           | XXX | 10,000                      |
| Nitrate-Nitrite as N (lbs/year)    | XXX                        | Report                  | XXX            | Geo Mean<br>Report          | XXX | XXX                         |
| Total Nitrogen (lbs/year)          | XXX                        | Report                  | XXX            | Ann'l Avg<br>Report         | XXX | XXX                         |
| Ammonia-Nitrogen                   | XXX                        | XXX                     | XXX            | Ann'l Avg<br>Report         | XXX | Report                      |
| Total Kjeldahl Nitrogen (lbs/year) | XXX                        | Report                  | XXX            | Report                      | XXX | XXX                         |
| Total Phosphorus (lbs/year)        | XXX                        | Report                  | XXX            | Ann'l Avg<br>Report         | XXX | XXX                         |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0088455**, Industrial Waste, SIC Code 0723, **Rice Fruit Company Inc.**, 2760 Carlisle Road, Gardners, PA 17324-0066. Facility Name: Rice Fruit Company WWTP. This existing facility is located in Menallen Township, **Adams County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Unnamed Tributary to Opossum Creek, is located in State Water Plan watershed 7-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|-------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Flow (MGD)              | Report                     | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)               | XXX                        | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Dissolved Oxygen        | XXX                        | XXX                      | 5.0            | XXX                         | XXX                      | XXX                         |
| Total Residual Chlorine | XXX                        | XXX                      | XXX            | 0.20                        | XXX                      | 0.67                        |
| CBOD <sub>5</sub>       | XXX                        | XXX                      | XXX            | 25                          | 50                       | 62                          |
| Total Suspended Solids  | XXX                        | XXX                      | XXX            | 30                          | 60                       | 75                          |
| Ammonia-Nitrogen        |                            |                          |                |                             |                          |                             |
| May 1 - Oct 31          | XXX                        | XXX                      | XXX            | 1.5                         | 3.0                      | 3.7                         |
| Nov 1 - Apr 30          | XXX                        | XXX                      | XXX            | 4.5                         | 9.0                      | 11.2                        |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.



**PA0036285**, Sewage, SIC Code 6515, **ATG Properties LLC**, PO Box 677, Morgantown, PA 19543. Facility Name: Brookhaven Mobile Home Park WWTP. This existing facility is located in Hellam Township, **York County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Dee Run, is located in State Water Plan watershed 7-H and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i>    |                          |                             |
|-----------------------------|----------------------------|--------------------------|----------------|--------------------------------|--------------------------|-----------------------------|
|                             | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>     | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
| Flow (MGD)                  | Report                     | Report                   | XXX            | XXX                            | XXX                      | XXX                         |
| pH (S.U.)                   | XXX                        | XXX                      | 6.0            | XXX                            | XXX                      | 9.0                         |
| Dissolved Oxygen            | XXX                        | XXX                      | 5.0            | XXX                            | XXX                      | XXX                         |
| Total Residual Chlorine     | XXX                        | XXX                      | XXX            | 0.34                           | XXX                      | 1.11                        |
| CBOD <sub>5</sub>           | XXX                        | XXX                      | XXX            | 25                             | XXX                      | 50                          |
| Total Suspended Solids      | XXX                        | XXX                      | XXX            | 30                             | XXX                      | 60                          |
| Ammonia-Nitrogen            |                            |                          |                |                                |                          |                             |
| May 1 - Oct 31              | XXX                        | XXX                      | XXX            | 5.0                            | XXX                      | 10                          |
| Nov 1 - Apr 30              | XXX                        | XXX                      | XXX            | 15                             | XXX                      | 30                          |
| Fecal Coliform (CFU/100 ml) |                            |                          |                |                                |                          |                             |
| May 1 - Sep 30              | XXX                        | XXX                      | XXX            | 200                            | XXX                      | 1,000                       |
| Oct 1 - Apr 30              | XXX                        | XXX                      | XXX            | Geo Mean<br>2,000              | XXX                      | 10,000                      |
| Total Phosphorus            | XXX                        | XXX                      | XXX            | Report                         | XXX                      | XXX                         |
| Total Nitrogen              | XXX                        | XXX                      | XXX            | Annl Avg<br>Report<br>Annl Avg | XXX                      | XXX                         |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.3664.*

**PAS314806**, Storm Water, SIC Code 1389, **Key Energy Services, LLC**, 7470 Nittany Valley Drive, Mill Hall, PA 17751-8898. Facility Name: Mill Hall Fms Yard. This proposed facility is located in Lamar Township, **Clinton County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated Storm Water.

The receiving stream(s), Fishing Creek, is located in State Water Plan watershed 9-C and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall SF-001 are based on a design flow of 0 MGD.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          |                             |
|-------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
| Oil and Grease          | XXX                        | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| Total Suspended Solids  | XXX                        | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| Total Kjeldahl Nitrogen | XXX                        | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| Iron (Total)            | XXX                        | Report                   | XXX            | XXX                         | XXX                      | XXX                         |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

*Southwest Regional Office: Regional Manager, Clean Water, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; 412-442-4000*

**PA0253120**, SIC Code 4941, **Tri County Joint Municipal Authority**, PO Box 758, Fredericktown, PA 15333-0758. Facility Name: Tri County Joint Municipal Authority. This existing facility is located in East Bethlehem Township, **Washington County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated water.

The receiving stream(s), Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.08 MGD.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |     | <i>Instant.<br/>Maximum</i> |
|-------------------------|----------------------------|--------------------------|----------------|-----------------------------|-----|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  |     |                             |
| Flow (MGD)              | Report                     | Report                   | XXX            | XXX                         | XXX | XXX                         |
| pH (S.U.)               | XXX                        | XXX                      | 6.0            | XXX                         | XXX | 9.0                         |
| Total Residual Chlorine | XXX                        | XXX                      | XXX            | 0.5                         | XXX | 1.0                         |
| Total Suspended Solids  | XXX                        | XXX                      | XXX            | 30                          | XXX | 60                          |
| Total Aluminum          | XXX                        | XXX                      | XXX            | 4.0                         | XXX | 8.0                         |
| Total Iron              | XXX                        | XXX                      | XXX            | 2.0                         | XXX | 4.0                         |
| Total Manganese         | XXX                        | XXX                      | XXX            | 1.0                         | XXX | 2.0                         |

The EPA Waiver is in effect.

**PA0253511**, SIC Code 4941, **Rolling Rock Farms Estate**, PO Box 717, Ligonier, PA 15658-0717. Facility Name: Rolling Rock Farms Estates. This existing facility is located in Ligonier Township, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated filter backwash water.

The receiving stream(s), Rolling Rock Creek, is located in State Water Plan watershed 18-C and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0126 MGD.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |     | <i>Instant.<br/>Maximum</i> |
|-------------------------|----------------------------|--------------------------|----------------|-----------------------------|-----|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  |     |                             |
| Flow (MGD)              | Report                     | Report                   | XXX            | XXX                         | XXX | XXX                         |
| pH (S.U.)               | XXX                        | XXX                      | 6.0            | XXX                         | XXX | 9.0                         |
| Total Residual Chlorine | XXX                        | XXX                      | XXX            | 0.5                         | XXX | 1.0                         |
| Total Suspended Solids  | XXX                        | XXX                      | XXX            | 30                          | XXX | 60                          |
| Total Aluminum          | XXX                        | XXX                      | XXX            | 4.0                         | XXX | 8.0                         |
| Total Iron              | XXX                        | XXX                      | XXX            | 2.0                         | XXX | 4.0                         |
| Total Manganese         | XXX                        | XXX                      | XXX            | 1.0                         | XXX | 2.0                         |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0252743**, Industrial Waste, SIC Code 4941, **Indian Creek Valley Water Authority**, PO Box 486, Indian Head, PA 15446. Facility Name: Indian Creek Valley Water Authority. This existing facility is located in Saltlick Township, **Fayette County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Neals Run, is located in State Water Plan watershed 19-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0064 MGD.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|-------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Flow (MGD)              | Report                     | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)               | XXX                        | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Total Residual Chlorine | XXX                        | XXX                      | XXX            | 0.5                         | XXX                      | 1.0                         |
| Total Suspended Solids  | XXX                        | XXX                      | XXX            | 30                          | XXX                      | 60                          |
| Total Aluminum          | XXX                        | XXX                      | XXX            | 1.3                         | XXX                      | 2.6                         |
| Total Iron              | XXX                        | XXX                      | XXX            | 2.0                         | XXX                      | 4.0                         |
| Total Manganese         | XXX                        | XXX                      | XXX            | 1.0                         | XXX                      | 2.0                         |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0000361**, Industrial Waste, SIC Code 4941, **Westmoreland County Municipal Water Authority**, and P. O. Box 730, Greensburg, PA 15601-0730. Facility Name: Beaver Run WTP. This existing facility is located in Washington Township, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Beaver Run, is located in State Water Plan watershed 18B and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.1 MGD.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|-------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Flow (MGD)              | Report                     | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)               | XXX                        | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Total Residual Chlorine | XXX                        | XXX                      | XXX            | 0.5                         | XXX                      | 1.0                         |
| Total Suspended Solids  | XXX                        | XXX                      | XXX            | 30                          | XXX                      | 60                          |
| Total Aluminum          | XXX                        | XXX                      | XXX            | 0.75                        | XXX                      | 1.5                         |
| Total Iron              | XXX                        | XXX                      | XXX            | 1.5                         | XXX                      | 3.0                         |
| Total Manganese         | XXX                        | XXX                      | XXX            | 1.0                         | XXX                      | 2.0                         |

The proposed effluent limits for Outfall 002 are based on a design flow of: varied MGD.

| <i>Parameters</i>      | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                        | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Flow (MGD)             | Report                     | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)              | XXX                        | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Total Suspended Solids | XXX                        | XXX                      | XXX            | 30                          | XXX                      | 60                          |
| Total Aluminum         | XXX                        | XXX                      | XXX            | 0.75                        | XXX                      | 1.5                         |
| Total Iron             | XXX                        | XXX                      | XXX            | 1.5                         | XXX                      | 3.0                         |
| Total Manganese        | XXX                        | XXX                      | XXX            | 1.0                         | XXX                      | 2.0                         |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0028126**, Industrial Waste, SIC Code 4941, **PA American Water Co.**, 800 West Hersheypark Drive, Hershey, PA 17033-2400. Facility Name: Pennsylvania American Water—Pittsburgh District. This existing facility is located in the City of Pittsburgh, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Glass Run, is located in State Water Plan watershed 19-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.3 MGD.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|-------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Flow (MGD)              | Report                     | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)               | XXX                        | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Total Residual Chlorine | XXX                        | XXX                      | XXX            | 0.5                         | XXX                      | 1.0                         |
| Total Suspended Solids  | XXX                        | XXX                      | XXX            | 30                          | XXX                      | 60                          |
| Total Aluminum          | XXX                        | XXX                      | XXX            | 4.0                         | XXX                      | 8.0                         |
| Total Iron              | XXX                        | XXX                      | XXX            | 2.0                         | XXX                      | 4.0                         |
| Total Manganese         | XXX                        | XXX                      | XXX            | 1.0                         | XXX                      | 2.0                         |

The EPA Waiver is in effect.

**PA0216712**, Industrial Waste, SIC Code 4952, **New Kensington City Municipal Authority**, PO Box 577, New Kensington, PA 15068-0577. Facility Name: New Kensington WTP. This existing facility is located in New Kensington City, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Allegheny River, is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.062 MGD.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|-------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Flow (MGD)              | Report                     | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)               | XXX                        | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Total Residual Chlorine | XXX                        | XXX                      | XXX            | 0.5                         | XXX                      | 1.0                         |
| Total Suspended Solids  | XXX                        | XXX                      | XXX            | 30                          | XXX                      | 60                          |
| Total Aluminum          | XXX                        | XXX                      | XXX            | 4.0                         | XXX                      | 8.0                         |

| <i>Parameters</i> | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          |                             |
|-------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                   | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
| Total Iron        | XXX                        | XXX                      | XXX            | 2.0                         | XXX                      | 4.0                         |
| Total Manganese   | XXX                        | XXX                      | XXX            | 1.0                         | XXX                      | 2.0                         |

The EPA Waiver is in effect.

**PA0252662**, Industrial Waste, SIC Code 4941, **Central Indiana County Water Authority**, 30 E Wiley Street, Homer City, PA 15748-1543. Facility Name: Central Indiana County Water Authority. This existing facility is located in Center Township, **Indiana County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Yellow Creek, is located in State Water Plan watershed 18-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0754 MGD.

| <i>Parameters</i>       | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          |                             |
|-------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                         | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
| Flow (MGD)              | Report                     | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)               | XXX                        | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Total Residual Chlorine | XXX                        | XXX                      | XXX            | 0.5                         | XXX                      | 1.0                         |
| Total Suspended Solids  | XXX                        | XXX                      | XXX            | 30                          | XXX                      | 60                          |
| Total Aluminum          | XXX                        | XXX                      | XXX            | 4.0                         | XXX                      | 8.0                         |
| Total Iron              | XXX                        | XXX                      | XXX            | 2.0                         | XXX                      | 4.0                         |
| Total Manganese         | XXX                        | XXX                      | XXX            | 1.0                         | XXX                      | 2.0                         |

In addition, the permit contains the following major special conditions:

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0218413**, Sewage, SIC Code 4952, **Economy Borough Municipal Authority**, 2860 Conway Wallrose Road, Baden, PA 15005-2306. Facility Name: Big Sewickley Creek WWTP. This existing facility is located in Economy Borough, **Beaver County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Big Sewickley Creek, is located in State Water Plan watershed 20-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          |                             |
|-----------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                             | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
| Flow (MGD)                  | Report                     | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)                   | XXX                        | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Dissolved Oxygen            | XXX                        | XXX                      | 6.0            | XXX                         | XXX                      | XXX                         |
| CBOD <sub>5</sub>           |                            |                          |                |                             |                          |                             |
| May 1 - Oct 31              | 156.0                      | 240.0                    | XXX            | 15                          | 23                       | 30                          |
| Nov 1 - Apr 30              | 261.0                      | 391.0                    | XXX            | 25                          | 40                       | 50                          |
| BOD <sub>5</sub>            |                            |                          |                |                             |                          |                             |
| Raw Sewage Influent         | Report                     | Report                   | XXX            | Report                      | XXX                      | XXX                         |
| Total Suspended Solids      |                            |                          |                |                             |                          |                             |
| Raw Sewage Influent         | Report                     | Report                   | XXX            | Report                      | XXX                      | XXX                         |
| Total Suspended Solids      | 313.0                      | 469.0                    | XXX            | 30                          | 45                       | 60                          |
|                             |                            | Wkly Avg                 |                |                             | Wkly Avg                 |                             |
| Fecal Coliform (CFU/100 ml) |                            |                          |                |                             |                          |                             |
| May 1 - Sep 30              | XXX                        | XXX                      | XXX            | 200                         | XXX                      | 1,000                       |
| Oct 1 - Apr 30              | XXX                        | XXX                      | XXX            | 2,000                       | XXX                      | 10,000                      |
|                             |                            |                          |                | Geo Mean                    |                          |                             |
| UV Transmittance (%)        | XXX                        | XXX                      | Report         | Report                      | XXX                      | XXX                         |
| Total Nitrogen              | XXX                        | XXX                      | XXX            | XXX                         | Report                   | XXX                         |
| Ammonia-Nitrogen            |                            |                          |                |                             |                          |                             |
| May 1 - Oct 31              | 21.0                       | XXX                      | XXX            | 2.0                         | XXX                      | 4.0                         |
| Nov 1 - Apr 30              | 36.0                       | XXX                      | XXX            | 3.5                         | XXX                      | 7.0                         |

| <i>Parameters</i>          | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|----------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                            | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Total Phosphorus           | XXX                        | XXX                      | XXX            | XXX                         | Report                   | XXX                         |
| Total Copper               |                            |                          |                |                             |                          |                             |
| (Interim)                  | Report                     | Report                   | XXX            | Report                      | Report                   | Report                      |
| (Final)                    | 0.125                      | 0.188                    | XXX            | 0.012                       | 0.018                    | 0.029                       |
| Free Available Cyanide     |                            |                          |                |                             |                          |                             |
| (Interim)                  | Report                     | Report                   | XXX            | Report                      | Report                   | Report                      |
| (Final)                    | 0.063                      | 0.094                    | XXX            | 0.006                       | 0.009                    | 0.015                       |
| Bis(2-Ethylhexyl)Phthalate |                            |                          |                |                             |                          |                             |
| (Interim)                  | Report                     | Report                   | XXX            | Report                      | Report                   | Report                      |
| (Final)                    | 0.021                      | 0.031                    | XXX            | 0.002                       | 0.003                    | 0.005                       |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is not in effect.

**PA0026352**, Sewage, SIC Code 4952, **Riverview Sanitary Authority**, 3100 University Boulevard, Moon Township, PA 15108-2530. Facility Name: Riverview Sanitary Authority STP. This existing facility is located in Coraopolis Borough, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Ohio River, is located in State Water Plan watershed 20-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.34 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>       |                           | <i>Average<br/>Monthly</i> | <i>Concentration (mg/l)</i> |     | <i>Instant.<br/>Maximum</i> |
|-----------------------------|----------------------------|---------------------------|----------------------------|-----------------------------|-----|-----------------------------|
|                             | <i>Average<br/>Monthly</i> | <i>Weekly<br/>Average</i> |                            | <i>Average<br/>Monthly</i>  |     |                             |
| Flow (MGD)                  | Report                     | Report                    | XXX                        | XXX                         | XXX | XXX                         |
| pH (S.U.)                   | XXX                        | XXX                       | 6.0                        | XXX                         | XXX | 9.0                         |
| Dissolved Oxygen            | XXX                        | XXX                       | Min                        | XXX                         | XXX | XXX                         |
| Total Residual Chlorine     | XXX                        | XXX                       | 0.5                        | XXX                         | XXX | 1.6                         |
| CBOD <sub>5</sub>           | 905.4                      | 1,358.1                   | 25                         | 37.5                        | XXX | 50                          |
|                             |                            |                           |                            | Wkly Avg                    |     |                             |
| BOD <sub>5</sub>            |                            |                           |                            |                             |     |                             |
| Raw Sewage Influent         | XXX                        | XXX                       | XXX                        | Report                      | XXX | XXX                         |
| Total Suspended Solids      |                            |                           |                            |                             |     |                             |
| Raw Sewage Influent         | XXX                        | XXX                       | XXX                        | Report                      | XXX | XXX                         |
| Total Suspended Solids      | 1,086.5                    | 1,629.8                   | 30                         | 45                          | XXX | 60                          |
|                             |                            |                           |                            | Wkly Avg                    |     |                             |
| Fecal Coliform (CFU/100 ml) |                            |                           |                            |                             |     |                             |
| Apr 1 - Oct 31              | XXX                        | XXX                       | XXX                        | 200                         | XXX | 400                         |
|                             |                            |                           |                            | Geo Mean                    |     |                             |
| Nov 1 - Mar 31              | XXX                        | XXX                       | XXX                        | 2,000                       | XXX | 10,000                      |
|                             |                            |                           |                            | Geo Mean                    |     |                             |
| Total Nitrogen              | XXX                        | XXX                       | XXX                        | Report                      | XXX | XXX                         |
|                             |                            |                           |                            | Daily Max                   |     |                             |
| Ammonia-Nitrogen            | XXX                        | XXX                       | XXX                        | Report                      | XXX | XXX                         |
| Total Phosphorus            | XXX                        | XXX                       | XXX                        | Report                      | XXX | XXX                         |
|                             |                            |                           |                            | Daily Max                   |     |                             |

The EPA Waiver is not in effect.

**PA0026212**, Sewage, **Washington East Washington Joint Authority**, P O Box 510, Washington, PA 15301-4514. Facility Name: Washington E Washington STP. This existing facility is located in South Strabane Township, **Washington County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream, Chartiers Creek, is located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.



The proposed effluent limits for Outfall 001 are based on a design flow of 9.77 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>       |                           | <i>Minimum</i> | <i>Concentration (mg/l)</i> |                           | <i>Instant.<br/>Maximum</i> |
|-----------------------------|----------------------------|---------------------------|----------------|-----------------------------|---------------------------|-----------------------------|
|                             | <i>Average<br/>Monthly</i> | <i>Weekly<br/>Average</i> |                | <i>Average<br/>Monthly</i>  | <i>Weekly<br/>Average</i> |                             |
| Flow (MGD)                  | Report                     | Report<br>Daily Max       | XXX            | XXX                         | XXX                       | XXX                         |
| pH (S.U.)                   | XXX                        | XXX                       | 6.0            | XXX                         | XXX                       | 9.0                         |
| Dissolved Oxygen            | XXX                        | XXX                       | 6.0            | XXX                         | XXX                       | XXX                         |
| Total Residual Chlorine     | XXX                        | XXX                       | XXX            | 0.04                        | XXX                       | 0.13                        |
| CBOD <sub>5</sub>           |                            |                           |                |                             |                           |                             |
| May 1 - Oct 31              | 1,223                      | 1,834                     | XXX            | 15                          | 22.5                      | 30                          |
| Nov 1 - Apr 30              | 1,631                      | 2,446                     | XXX            | 20                          | 30                        | 40                          |
| BOD <sub>5</sub>            |                            |                           |                |                             |                           |                             |
| Raw Sewage Influent         | Report                     | Report<br>Daily Max       | XXX            | Report                      | XXX                       | XXX                         |
| Total Suspended Solids      |                            |                           |                |                             |                           |                             |
| Raw Sewage Influent         | Report                     | Report<br>Daily Max       | XXX            | Report                      | XXX                       | XXX                         |
| Total Suspended Solids      | 2,446                      | 3,669                     | XXX            | 30                          | 45                        | 60                          |
| Fecal Coliform (CFU/100 ml) |                            |                           |                |                             |                           |                             |
| May 1 - Sep 30              | XXX                        | XXX                       | XXX            | 200<br>Geo Mean             | XXX                       | 1,000                       |
| Oct 1 - Apr 30              | XXX                        | XXX                       | XXX            | 2,000<br>Geo Mean           | XXX                       | 10,000                      |
| Total Nitrogen              | Report                     | XXX                       | XXX            | Report                      | XXX                       | XXX                         |
| Ammonia-Nitrogen            |                            |                           |                |                             |                           |                             |
| May 1 - Oct 31              | 163                        | 245                       | XXX            | 2.0                         | 3.0                       | 4.0                         |
| Nov 1 - Apr 30              | 326                        | 489                       | XXX            | 4.0                         | 6.0                       | 8.0                         |
| Total Phosphorus            | Report                     | XXX                       | XXX            | Report                      | XXX                       | XXX                         |

The EPA Waiver is not in effect.

**PA0043729**, Sewage, **Hampton Township**, 3101 McCully Road, Allison Park, PA 15101-1331. Facility Name: Allison Park STP. This existing facility is located in Hampton Township, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Pine Creek, is located in State Water Plan Watershed 18-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.2 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>       |                           | <i>Minimum</i> | <i>Concentration (mg/l)</i> |                           | <i>Instant.<br/>Maximum</i> |
|-----------------------------|----------------------------|---------------------------|----------------|-----------------------------|---------------------------|-----------------------------|
|                             | <i>Average<br/>Monthly</i> | <i>Weekly<br/>Average</i> |                | <i>Average<br/>Monthly</i>  | <i>Weekly<br/>Average</i> |                             |
| Flow (MGD)                  | Report                     | Report<br>Daily Max       | XXX            | XXX                         | XXX                       | XXX                         |
| pH (S.U.)                   | XXX                        | XXX                       | 6.0            | XXX                         | XXX                       | 9.0                         |
| Dissolved Oxygen            | XXX                        | XXX                       | 6.0            | XXX                         | XXX                       | XXX                         |
| Total Residual Chlorine     | XXX                        | XXX                       | XXX            | 0.5                         | XXX                       | 0.93                        |
| CBOD <sub>5</sub>           |                            |                           |                |                             |                           |                             |
| May 1 - Oct 31              | 400.6                      | 614.2                     | XXX            | 15                          | 23                        | 30                          |
| Nov 1 - Apr 30              | 667.6                      | 1,014.8                   | XXX            | 25                          | 38                        | 50                          |
| BOD <sub>5</sub>            |                            |                           |                |                             |                           |                             |
| Raw Sewage Influent         | Report                     | Report<br>Daily Max       | XXX            | Report                      | XXX                       | XXX                         |
| Total Suspended Solids      |                            |                           |                |                             |                           |                             |
| Raw Sewage Influent         | Report                     | Report<br>Daily Max       | XXX            | Report                      | XXX                       | XXX                         |
| Total Suspended Solids      | 801.1                      | 1,201.7                   | XXX            | 30                          | 45                        | 60                          |
| Fecal Coliform (CFU/100 ml) |                            |                           |                |                             |                           |                             |
| May 1 - Sep 30              | XXX                        | XXX                       | XXX            | 200<br>Geo Mean             | XXX                       | 1,000                       |
| Oct 1 - Apr 30              | XXX                        | XXX                       | XXX            | 2,000<br>Geo Mean           | XXX                       | 10,000                      |
| Total Nitrogen              | XXX                        | XXX                       | XXX            | XXX                         | Report<br>Daily Max       | XXX                         |

| Parameters       | Mass (lb/day)      |                   | Minimum | Concentration (mg/l) |                     | Instant.<br>Maximum |
|------------------|--------------------|-------------------|---------|----------------------|---------------------|---------------------|
|                  | Average<br>Monthly | Weekly<br>Average |         | Average<br>Monthly   | Weekly<br>Average   |                     |
| Ammonia-Nitrogen |                    |                   |         |                      |                     |                     |
| Mar 1 - Nov 30   | 40.1               | 61.4              | XXX     | 1.5                  | 2.3                 | 3.0                 |
| Dec 1 - Feb 29   | 120.2              | 181.5             | XXX     | 4.5                  | 6.8                 | 9.0                 |
| Total Phosphorus | XXX                | XXX               | XXX     | XXX                  | Report<br>Daily Max | XXX                 |

The EPA Waiver is not in effect.

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### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401.*

**WQM Permit No. WQG02151309**, Sewage, **London Grove Township Municipal Authority**, 372 Rosehill Road, West Grove, PA 19390.

This proposed facility is located in London Grove Township, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage pump station on the Three Groves Ecovillage community development.

**WQM Permit No. 0913402**, Sewage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

This proposed facility is located in Lower Southampton Township, **Bucks County**.

Description of Action/Activity: Construction of a 5 million gallon surge tank.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. 4013402**, Sewage, **Freeland Borough Municipal Authority Luzerne County**, 711 Birkbeck Street, Freeland, PA 18224.

This proposed facility is located in Freeland Borough, **Luzerne County**.

Description of Proposed Action/Activity: Installation of ~4,600 linear feet of 10-inch replacement force main & ~2,200 linear feet of 15-inch replacement gravity sewer, and rerating of Wyoming Street Pump Station capacity.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 0613404**, Sewerage, **Jack A. Larkin**, 275 Pilgert Street, Alburtis, PA 18011.

This proposed facility is located in Longswamp Township, **Berks County**.

Description of Proposed Action/Activity: Construction of a Small Flow Treatment Facility to serve an existing single-family dwelling.

**WQM Permit No. 3699202 A-1**, Industrial Waste, **Corixa Corporation dba GlaxoSmithKline Vaccines**, 325 North Bridge Street, Marietta, PA 17547.

This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: Upgrades to the industrial wastewater treatment plant to replace the ozone disinfection system with an ultraviolet disinfection system.

*Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701*

**WQM Permit No. 6013201, Troxell Farms, Broc Troxell**, 250 Showers Road, New Columbia, PA 17856.

This proposed facility is located in White Deer Township, **Union County**.

Description of Proposed Action/Activity: Construction of a second swine finishing barn with under-house manure storage.

**WQM Permit No. WQG01171301**, Sewage, **Domenic Lombardi**, 427 West Race St, Stowe, PA 19464.

This proposed facility is located in Girard Township, **Clearfield County**.

Description of Proposed Action/Activity: Installation of an SFTF that will serve an existing single residence.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**WQM Permit No. 0213402**, Sewerage, **Phipps Conservatory & Botanical Gardens**, One Schenley Dr, PGH, PA 15213

This proposed facility is located in City of PGH, **Allegheny County**.



Description of Proposed Action/Activity: Application for the construction and operation of a WWTP.

**WQM Permit No. 2602406-A1**, Sewerage, **Western PA Conservancy**, Box R, Mill Run, PA 15464

This existing facility is located in Stewart Twp, **Fayette County**.

Description of Proposed Action/Activity: Application for the construction and operation of a drip irrigation disposal field.

**WQM Permit No. 2613400**, Sewerage, **Western PA Conservancy**, Box R, Mill Run, PA 15464

This existing facility is located in Stewart Twp, **Fayette County**.

Description of Proposed Action/Activity: Application for the construction and operation of a drip irrigation system.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**WQM Permit No. 4313401**, Sewage, **Corydon Township**, 2474 West Washington Street, Bradford, PA 16701.

This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Action/Activity: Small Flow Treatment Facility.

**WQM Permit No. WQG018856**, Sewage, **Transfer No. 1, Janelle V. Kerner & Timothy J. Hoderny**, 8275 Williams Road, North East, PA 16428.

This existing facility is located in North East Township, **Erie County**.

Description of Proposed Action/Activity: Transfer of permit for an existing Single Residence Sewage Treatment Plant.

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#### IV. NPDES Applications for Stormwater Discharges from MS4

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#### V. Applications for NPDES Waiver Stormwater Discharges from MS4

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*Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701*

| NPDES Permit No. | Applicant Name & Address  | County | Municipality     | Receiving Water/Use   | DEP Protocol (Y/N) |
|------------------|---|--------|------------------|---|--------------------|
| PAI134803        | College Township<br>1381 E. College Avenue<br>State College, PA 16801 | Centre | College Township | Spring Creek (HQ-CWF),<br>Slab Cabin Run (CWF),<br>UNTs to Spring Creek (CWF), UNT to Slab Cabin Run (HQ-CWF) | Y                  |

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#### VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

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*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

| NPDES Permit No. | Applicant Name & Address  | County  | Municipality           | Receiving Water/Use                       |
|------------------|---|---------|------------------------|---|
| PAI011513015     | Cruz De Luna Stables, LLC<br>205 Pumpkin Hill Road<br>Glenmoore, PA 19343 | Chester | West Nantmeal Township | East Branch Brandywine Creek<br>HQ-TSF-MF |

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Lehigh County Conservation District: Lehigh Ag Center, Suite 105, 4184 Dorney Park Road, Allentown PA 18104, 610-391-9583*

| NPDES Permit No. | Applicant Name & Address  | County | Municipality           | Receiving Water/Use   |
|------------------|---|--------|------------------------|---|
| PAI023913003     | Jerry Davis<br>Seedway, LLC<br>5901 Vera Cruz Rd.<br>Emmaus, PA 18049 | Lehigh | Upper Milford Township | Leibert Creek,<br>HQ-CWF, MF<br>UNT to Hosensack Creek, CWF, MF |

*Wayne County Conservation District: 648 Park Street, Honesdale PA 18431, 570-253-0930*

| NPDES Permit No. | Applicant Name & Address   | County | Municipality    | Receiving Water/Use             |
|------------------|--|--------|-----------------|---------------------------------|
| PAI026413002     | Federal Bureau of Prisons<br>500 First Street NW<br>Washington, DC 20534 | Wayne  | Canaan Township | UNT to Middle Creek, HQ-CWF, MF |

*Lackawanna County Conservation District: 1038 Montdale Road, Scott Twp., PA 18447, 570-392-3086*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>                     |
|-------------------------|---|---------------|---------------------|--|
| PAI023513001            | PPL Electric Utilities, Corporation<br>Two North Ninth Street<br>GENN-3<br>Allentown, PA 18101-1179 | Lackawanna    | Covington Township  | UNT East Branch of Roaring Brook<br>HQ-CWF, MF |

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802*

| <i>Permit #</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>   | <i>Receiving Water/Use</i>              |
|-----------------|--|---------------|-----------------------|---|
| PAI033813001    | Methodist Church Home in Cornwall<br>1 Boyd Street<br>PO Box 125<br>Cornwall, PA 17016 | Lebanon       | Cornwall Borough      | UNT to Snitz Creek (TSF), Wetlands (EV) |
| PAI032113002    | Raymond Hoover<br>515 Bullshead Road<br>Newville, PA 17241                             | Cumberland    | North Newton Township | Big Spring Creek (HQ-CWF)               |
| PAI030613003    | Joshua Zimmerman<br>15 Gift Road<br>Hamburg, PA 19526                                  | Berks         | Richmond Township     | Moselem Creek (HQ, CWF)                 |

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315*

| <i>Permit No.</i> | <i>Applicant &amp; Address</i>  | <i>County</i>       | <i>Municipality</i>       | <i>Stream Name</i>  |
|-------------------|---|---------------------|---------------------------|---------------------|
| PAI056513003      | North Huntingdon Township<br>11279 Center Highway<br>North Huntingdon, PA 15642 | Westmoreland County | North Huntingdon Township | Long Run (HQ-TSF)   |
| PAI056513004      | Speedway, LLC<br>500 Speedway Drive<br>Enon, OH 45323                           | Westmoreland County | Delmont Borough           | Beaver Run (HQ-WWF) |

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

*Mercer County Conservation District, 24 Avalon Court, Suite 300, Mercer PA 16137*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                                 | <i>County</i> | <i>Municipality</i>   | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|-----------------------|----------------------------|
| PAI064313001            | Trinity Industries Inc.<br>2525 Stemmons Freeway<br>Dallas TX 75207 | Mercer        | Borough of Greenville | Mathay Run WWF             |

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## VII. List of NOIs for NPDES and/or Other General Permit Types

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PAG-12      CAFOs

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### CAFO Notices of Intent Received

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*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

**PAG123766, CAFO, Scattered Acres Inc.—Reinholds Facility**, 1750 VanReed Road, Sinking Spring, PA 19608.

This proposed facility is located in West Cocalico Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Seeking permit approval for renewal of existing dairy operation.

The receiving stream, UNT Little Cocalico Creek, is in watershed 7-J, and classified for: TSF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

## STATE CONSERVATION COMMISSION

### PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

| <i>Agricultural Operation<br/>Name and Address</i>               | <i>County</i> | <i>Total<br/>Acres</i> | <i>Animal<br/>Equivalent<br/>Units</i> | <i>Animal<br/>Type</i> | <i>Special<br/>Protection<br/>Waters (HQ<br/>or EV or NA)</i> | <i>Renewal / New</i> |
|--|---------------|------------------------|--|------------------------|---|----------------------|
| Perry Meadows Farm<br>2713 Fowler Hollow Road<br>Blain, PA 17006 | Perry         | 10                     | 1342.25                                | Swine                  | HQ  | Renewal              |
| Dwight Zimmerman<br>80 South Northkill Rd<br>Bernville, PA 19506 | Berks         | 88                     | 290.16                                 | Broilers               | NA  | New                  |
| Jonas Sensenig<br>1147 Silver Spring Rd<br>Holtwood, PA 17532    | Lancaster     | 287                    | 384.75                                 | Swine                  | HQ  | Renewal              |

### PUBLIC WATER SUPPLY (PWS) PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### SAFE DRINKING WATER

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Northeast Region: Water Supply Management Program  
Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

**APPLICATION No. 5413507** Public Water Supply.

|                       |  |
|-----------------------|--|
| Applicant             | <b>Summer Springs Farm, LLC.</b><br>181 Diary Road<br>Tamaqua, PA. 18252 |
| [Township or Borough] | West Penn Township<br><b>Schuylkill County</b>                           |
| Responsible Official  | Mr. William Varano   |

Type of Facility      Public Water Supply  
 Consulting Engineer      Thomas G. Pullar, PE.  
                                  EarthRes Group, Inc.  
                                  6912 Old Easton Road  
                                  Pipersville, PA. 18947  
 Application Received      July 11, 2013  
 Date  
 Description of Action      Summer Springs is proposing to  
                                  construct a new ground water  
                                  source (borehole BH-1) and a  
                                  bulk water hauling station.  
                                  Treatment will consist of  
                                  cartridge filtration and ozonation  
                                  with storage in a 30,000 gallon  
                                  stainless steel storage silo.

*Northcentral Region: Safe Drinking Water Program  
 Manager, 208 West Third Street, Suite 101, Williamsport,  
 PA 17701-6448*

**Application No. 1813502—Construction** Public Wa-  
 ter Supply.

Applicant      **First Quality Water &  
 Beverage, LLC**  
 [Township or Borough]      Castanea Township  
 County      **Clinton**  
 Responsible Official      James F. Peterson II  
                                  Business Division  
                                  First Quality Water & Beverage,  
                                  LLC  
                                  904 Woods Avenue  
                                  Lock Haven, PA 17745  
 Type of Facility      Public Water Supply  
 Consulting Engineer      Gary J. Toplak, P.E.  
                                  Toplak & Associates, P.C.  
                                  112 Pineview Road  
                                  Baden, PA 15005  
 Application Received      July 9, 2013  
 Date  
 Description of Action      Installation of a second water  
                                  treatment line and third bottle  
                                  filling and packaging line.

**Application No. 1713501—Construction** Public Wa-  
 ter Supply.

Applicant      **Harmony Area School  
 District**  
 [Township or Borough]      Burnside Borough  
 County      **Clearfield**  
 Responsible Official      Jill M. Dillon, District  
                                  Superintendent  
                                  Harmony Area School District  
                                  5239 Ridge Road  
                                  Westover, PA 16692  
 Type of Facility      Public Water Supply  
 Consulting Engineer      Cameron R. Mock, P.E.  
                                  L.R. Kimball  
                                  615 West Highland Avenue  
                                  Ebensburg, PA 15931  
 Application Received      July 10, 2013

Description of Action      Replacement of existing water  
                                  storage and treatment system.  
                                  Two precast concrete treated  
                                  water tanks, pH adjustment,  
                                  oxidation with sodium  
                                  hypochlorite or potassium  
                                  permanganate, settling, and  
                                  filtration of existing water well.  
                                  System is to address elevated  
                                  iron and manganese levels in  
                                  raw water plus provide water  
                                  system disinfection.

#### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Northeast Region: Safe Drinking Water Program Man-  
 ager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

#### Application No. 5413506

Applicant      **Signature Spring, LLC**  
                                  22 Spring Water Boulevard  
                                  Brandonville, PA 17967  
 [Township or Borough]      East Union Township  
                                  **Schuylkill County**  
 Responsible Official      John Tondora, Director of  
                                  Operations  
 Type of Facility      Community Water System  
 Consulting Engineer      James P. Palumbo, Jr. PE  
                                  Quad 3 Group, Inc.  
                                  72 Glenmaura National  
                                  Boulevard  
                                  Moosic, PA 18507  
                                  570-342-5200  
 Application Received      July 10, 2013  
 Date  
 Description of Action      Application for a PWS operation  
                                  permit for an existing bottled  
                                  water facility which currently  
                                  produces bottles less than 1/2  
                                  gallon to produce larger size  
                                  bottles.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995 PREAMBLE 1

#### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Envi- ronmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environ-  
 mental Remediation Standards Act (act) (35 P. S.  
 §§ 6026.302—6026.305) require the Department to pub-  
 lish in the *Pennsylvania Bulletin* an acknowledgment  
 noting receipt of Notices of Intent to Remediate. An  
 acknowledgment of the receipt of a Notice of Intent to  
 Remediate is used to identify a site where a person  
 proposes to, or has been required to, respond to a release  
 of a regulated substance at a site. A person intending to  
 use the background standard, Statewide health standard,  
 the site-specific standard or intend to remediate a site as



a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**REC-Oil / former Sunoco Bulk Storage Facility**, 280 North East Street, York PA 17403, City of York, **York County**. EnviroTrac, Ltd, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Environmental Compliance Management, 345 King Street, Myerstown, PA 17061, submitted a revised Notice of Intent to Remediate site and groundwater contaminated with VOCs, PAHs and lead. The site will be remediated to the Site Specific and Non-Residential Statewide Health standards. The site will remain a waste oil recycling facility. The Notice of Intent to Remediate was published in *The York Dispatch/York Sunday News* and *York Daily Record* on June 25, 2013.

*Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Stoneboro Custom Cycles**, 9 Branch Street, Borough of Stoneboro, **Mercer County**. URS Corporation, Foster Plaza 6, 681 Andersen Drive, Suite 400, Pittsburgh,

PA 15220, on behalf of Shell Oil Products US (SOPUS), 4094 Majestic Lane, PMB 224, Fairfax, VA 22033, submitted a Notice of Intent to Remediate. The site is a portion of a larger property that had operated as a bulk storage and retail fuel sales facility. During the 1980's, the property was subdivided and sold as lots. In March 2012, the site was found to have an improperly closed underground storage tanks. Site soil and groundwater have been identified to be contaminated with Benzene, Toluene, Ethylbenzene, Total Xylenes (BTEX), Naphthalene, Isopropylbenzene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, 1,2-Dibromoethane, Methyl tert butyl ether, and Lead. The anticipated future use of the property is commercial. The Notice of Intent to Remediate was published in *The Herald* and *The Allied News* on May 27, 2013.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**40-00002A: Transcontinental Gas Pipeline Company, LLC.** (PO Box 1396, Houston, TX 77251-1396) for installation of one (1) new Solar Mars 100—16,000 horsepower (hp) (ISO) turbine and one 1,175 hp emergency generator at their facility in Buck Township, **Luzerne County**.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

| Pollutants       | Natural Gas |       |
|------------------|-------------|-------|
|                  | Lb/hr       | TPY   |
| NO <sub>x</sub>  | 3.18        | 10.45 |
| SO <sub>2</sub>  | 0.05        | 0.17  |
| PM <sub>10</sub> | 0.44        | 1.45  |
| CO               | 3.27        | 10.74 |
| VOC              | 0.35        | 1.16  |

The emissions of these pollutants are within all applicable emissions limitations.

In order to assure compliance with the applicable standards, DEP will place conditions in the plan approval.

The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 39-399-

**39-399-071: Samuel Adams Pennsylvania Brewery Co.** (7880 Penn Drive, Breinigsville, PA 18031-1508) for their plant located in Upper Macungie Township, **Lehigh County**.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a Plan Approval # 39-399-071 to Samuel Adams Pennsylvania Brewery Company, 7880 Penn Drive, Breinigsville, PA 18031-1508, for their plant located in Upper Macungie Township, Lehigh County. The facility currently has Title V Permit No. 39-00006. This plan approval will be incorporated into the Title V operating permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 39-399-071 is for the installation and operation of a new natural gas-fired (Ultra Low Sulfur Diesel (ULSD) backup) 88.4 MMBtu/hr. boiler (to be named Boiler No. 4). This boiler will replace existing Boiler No. 3. Boiler No. 3 experienced an explosion which rendered it inoperable without major repair. Since the boiler no. 3 was over 40 years old and near the end of its useful life, the company chose to replace the boiler with a new, more fuel efficient natural gas-fired (primary fuel) boiler.

A review of the information submitted by the company indicates that the proposed project will meet all applicable state and federal air quality requirements. Based upon these findings, DEP plans to approve the application and issue a permit for the facility.

The following table summarizes the emissions increases from the facility as a result of proposed project as describe above.

| ULSD | Estimated Emissions, TPY |      |
|------|--------------------------|------|
|      | Lb/hr                    | TPY  |
|      | 8.31                     | 9.10 |
|      | 0.13                     | 0.14 |
|      | 2.65                     | 2.90 |
|      | 3.27                     | 3.58 |
|      | 0.35                     | 0.39 |

071 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, P.E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**32-00411: Mountain Gathering, LLC** (810 Houston Street, Fort Worth, TX 76102) Notice is hereby given in

accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-32-00411 to allow the installation and initial temporary operation of a natural gas processing facility known as the Homer City PP Compressor Station located in Center Township, **Indiana County**. Sources include four (4) new Caterpillar G3306 LE lean burn natural gas-fired compressor engines each rated at 1,775 bhp controlled by oxidation catalysts and a 60 MMscfd tri-ethylene glycol dehydrator.

Potential to emit from the facility is estimated to be 35.78 tons of nitrogen oxides (NO<sub>x</sub>), 14.46 tons of carbon monoxide (CO), 25.22 tons of volatile organic compounds (VOC), 3.43 tons of formaldehyde (HCHO), 5.40 tons of combined hazardous air pollutants (HAP), and 38,629 tons of carbon dioxide equivalents (CO<sub>2</sub>e) per year. Best available technology (BAT) for the proposed natural gas-fired engines is ultra-lean burn combustion technology, installation and proper operation of oxidation catalysts, and good combustion practices including the use of air to fuel ratio controllers and proper maintenance and operation. The dehydrator will be controlled by a condenser. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.31 and 123.41. Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart JJJJ for spark ignition internal combustion engines, 40 CFR Part 60 Subpart OOOO for crude oil and natural gas production, transmission and distribution, and Federal National Emission Standards for Hazardous Air Pollutants (NESHAPS) including 40 CFR Part 63 Subpart HH for oil and natural gas production facilities also apply. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-32-00411) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

All comments must be received prior to the close of business 30 days after the date of this publication.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

For additional information you may contact Alexander Sandy at 412-442-4028.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**10-383A: Boylan Funeral Home, Inc.** (324 E. Grandview Ave, Zelienople, PA 16063) to issue a plan

approval for the construction and operation of a human crematory at their existing Boylan Funeral Home and Cremation Center facility in Connoquenessing Township, **Butler County**. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44.

The crematory has been reviewed to evaluate its incorporation of BAT. The BAT contained in the GP-14 is still considered to be current BAT. This unit meets or exceeds each of the technologies or specifications identified in the GP-14; therefore, the use of this unit is considered to be meeting BAT for the construction of a crematory.

Emissions are estimated to be: less than 2.0 tons per year (tpy) of: CO, particulate matter, and less than 1.0 tpy of: SO<sub>x</sub>, NO<sub>x</sub>, VOC, and HAP (each).

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [10-383A] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Jacob G. Chemsak, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6638.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

#### OPERATING PERMITS

##### **Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**48-00004: Essroc Cement Corp.—Plants I, II, and III** (Route 248 & Easton Road, Nazareth, PA 18064) for



operation of Portland Cement Manufacturing in Lower Nazareth Township, **Northampton County**. This is a renewal of the Title V Operating Permit. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The main sources at this facility are a Kiln, clinker cooler and finishing mills that are controlled by baghouses (dust collectors). These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit shall include emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**67-05012: Transcontinental Gas Pipe Line Co. LLC—Station 195 Delta** (PO Box 1396, Houston, TX 77251-1396) for the natural gas compressor station in Peach Bottom Township, **York County**. This is a renewal of the Title V Operating Permit issued in December 2007.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to renew an Air Quality Operating Permit for the abovementioned facility.

Station 195 Delta is a major facility subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permit requirements). The engines at the facility are subject to 40 CFR Part 63, Subpart ZZZZ for Stationary Reciprocating Internal Combustion Engines. The facility's actual 2012 annual emissions are estimated at 79 tons of NO<sub>x</sub>, 46 tons of CO, and 19 tons of VOC, including 9 tons of HAPs.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**22-05014: Ames True Temper, Inc.** (1500 S. Cameron Street, Harrisburg, PA 17104) for their wheelbarrow manufacturing facility in Harrisburg City, **Dauphin County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

The subject facility has actual emissions of 1.1 tpy of NO<sub>x</sub>, 0.9 tpy of CO and 33.7 tpy of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52, Surface Coating Processes.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Thomas Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**26-00413: Texas Eastern Transmission, LP** (P. O. Box 1642, Houston, TX 77251-1642) for natural gas transmission at the Uniontown Compressor Station in North Union Township, **Fayette County**. This is a Title V renewal application submittal.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**10-00001: AK Steel Corp.** (P. O. Box 832, Butler, PA 16003) for a Title V Operating Permit Re-issuance to operate a steel manufacturing facility, in Butler Township, **Butler County**. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit NO<sub>x</sub>, Particulate Matter, and VOC emissions. Potential emissions of criteria pollutants from this facility are as follows: PM<sub>10</sub>—470 tpy, PM<sub>2.5</sub>—360 tpy, SO<sub>x</sub>—150 tpy, NO<sub>x</sub>—780 tpy, CO—1570 tpy, and VOCs—150 tpy.

The stationary internal combustion engines at this facility are subject to the newly promulgated requirements of 40 CFR 63—Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The compliance date for Subpart ZZZZ will be October 19, 2013.

Several combustion sources at this facility are subject to the newly promulgated requirements of 40 CFR 63—Subpart DDDDD, National Emissions Standards for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. The compliance date for Subpart DDDDD will be March 21, 2014.

This renewal also incorporates Plan Approval Number 10-001L which authorized the installation of a new high-efficiency natural gas-fired boiler. The new unit, Source ID: 039—Main Plant Boiler #22, has a maximum firing capacity of 60 million Btu/hr.

**Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**15-00018: Vanguard** (31 Morehall Road, Frazer, PA 19355) for renewal of a State Only, Synthetic Minor Operating Permit in East Whiteland Township, **Chester County**. The facility operates an office complex at this site with three boilers and four emergency generators. The proposed renewal of the Operating Permit does not authorize any increase in air emissions, of regulated pollutants, above previously approved levels. The facility maintains a synthetic minor operating status by maintaining total NO<sub>x</sub> emissions to less than 24.90 tons per year. The renewed permit includes testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and federal air quality requirements.

**46-00254: Campania International, Inc.** (2452 Quakertown Road, Pennsburg, PA 18073) for renewal of a State Only Operating Permit to operate concrete products manufacturing facility in Upper Hanover Township, **Montgomery County**. The facility has taken restriction to remain a synthetic minor for HAP emissions. This Operating Permit renewal includes emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

**46-00230: East Norriton-Plymouth-Whitpain Joint Sewer Authority** (200 Ross Street, Plymouth Meeting, PA 19462) for operation of their sewage processing plant in Plymouth Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. Since the permit was last issued on September 9, 2008, the facility has installed a 1.67 MMBtu/hr natural gas fired boiler and a remote reservoir parts washer—each of these have been added to the operating permit. Major sources of air emissions include a sewage sludge incinerator and associated control devices. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00255: Schumacher & Benner Funeral Home & Crematory** (359 King St., Pottstown, PA 19464) for operation of a human crematory in Pottstown Borough, **Montgomery County**. The permit is for a non-Title V (State Only) facility. The facility's potential to emit criteria pollutants is less than major thresholds; therefore the facility is a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**58-00012: Blue Ridge School District** (5058 School Road, New Milford, PA 18834) for operation of a wood-fired boiler in New Milford Township, **Susquehanna County**. The particulate emissions from the boiler will be controlled by a cyclone. This is a new state-only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**05-03020: Northern Bedford County School District** (152 NBC Drive, Loysburg, PA 16659) for operation of a 7.793 mmBtu/hr wood-fired boiler at Northern Bedford County School facility in South Woodbury Township, **Bedford County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit renewal for the above-mentioned facility.

The estimated potential emissions from the source will be 7.5 tons per year of PM, 7.5 tons per year of PM-10, 0.85 ton per year of SO<sub>x</sub>, 20.5 tons per year of CO, 7.5 tons per year of NO<sub>x</sub>, and 0.6 ton per year of VOC. The boiler is subject to 40 CFR Part 63 Subpart JJJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial, and Institutional Boilers. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality



Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**36-05003: Armstrong World industries, Inc.** (2500 Columbia Avenue, Lancaster, PA 17604) for their research and development facility in Manor Township, **Lancaster County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit renewal for the above-mentioned facility.

The subject facility serves as corporate headquarters as well as a research and development center. Site installation includes pilot-scale manufacturing lines which support the company's various manufacturing activities. The facility also includes three small natural gas/distillate boilers and a battery of electrical generators for emergency power. Emissions from the facility are limited to 100 tons per year each for sulfur oxides, nitrogen oxides, carbon monoxide and particulate matter. Actual emissions are a fraction of the allowable levels. The boilers are subject to 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Area Sources and the emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Area Sources. A small gasoline storage tank is subject to 40 CFR Part 63, Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants for Area Sources. The State-only Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

William R. Weaver, Air Quality Regional Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**56-00154: George E. Mason Funeral Home, Inc.** (P.O. Box 409, 1687 Tire Hill Road, Davidsville, PA 15928) for funeral services and crematories for their human crematory furnace in Conemaugh Township, **Som-**

**erset County**. This is a Synthetic Minor Operating Permit renewal application submittal.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Matthew M. Williams—Telephone: 814-332-6131*

**20-00303: Crawford Central School District** (11280 Mercer Pike, Meadville, PA 16335-6260) for an initial natural minor operating permit to operate combustion units at the Middle and High School at the City of Meadville, **Crawford County**. The facility's major emitting sources include, Biomass Combustion Unit, Hot Water Boilers (3), Miscellaneous Natural Gas Usage and, Emergency Generator. The Biomass Boiler is subject to Boiler MACT, 40 CFR Part 63, Subpart JJJJJJ. All application conditions of Subpart JJJJJJ have been included in the permit. The emergency generator is not subject to the Reciprocating Internal Combustion Engine (RICE) MACT, 40 CFR Subpart ZZZZ because the generator is located in an institution which is an exception of the applicability of Subpart ZZZZ as stated in § 63.6685 (f)(3). The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor. The potential emissions from the three hot water boilers, which were stated in the permit application are, NO<sub>x</sub>: 7.09 Tons per year (TPY), CO: 5.95 TPY, SO<sub>2</sub>: 0.04 TPY, PM (Total): 0.54 TPY, PM (Filterable): 0.13 TPY, VOC: 0.39 TPY.

#### PLAN APPROVALS

**Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**40-00125A: Sunlight Crematory of Wilkes-Barre LLC** (628C Nanticoke Street, Hanover Township, PA 18706) for their facility in Hanover Township, **Luzerne County** for operation of two (2) human cremators at the site. This facility is a Non-Title V facility.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Sunlight Crematory of Wilkes-Barre LLC (628C Nanticoke Street, Hanover Twp., PA 18706) for their facility located in Hanover Twp., Luzerne County. This Plan Approval No. 40-00125A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00125A is for the operation of two (2) human cremators at the site. This facility is a Non-Title V facility. The company has applied to operate the cremators without interlock system & opening of the chamber before it cools to 150°F as required by existing operating permit. No other changes were proposed from existing operating permits. Presently all cremators are operating under General Operating Permit GP14 requirements. The company shall comply with 123.41 for opacity. The company will operate the sources and maintain the system in accordance with the good engineering practices

to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, Identification of the proposed permit No.: 40-00125A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and

telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

### *Coal Applications Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**30020701 and NPDES No. PA0235482. Consol Pennsylvania Coal Company, LLC**, (PO Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To renew the permit for the Bailey Central Mine Complex CRDA No. 3 and No. 4 in Richhill and Gray Townships, **Greene County** and related NPDES permit. No additional discharges. The application was considered administratively complete on July 9, 2013. Application received May 21, 2013.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 56070106 and NPDES No. PA0262471, Fieg Brothers**, 3070 Stoytown Road, Stoytown, PA 15563, permit renewal for the continued operation and restoration for a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 36.3 acres. Receiving streams: unnamed tributaries to Hays Run and unnamed tributaries to Buffalo Creek, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application Received July 3, 2013.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**10070105. T.C. Mining** (252 Lower Hayes Run Road, Kittanning, PA 16201) Renewal of an existing bituminous surface mine in Clay & Concord Townships, **Butler County** affecting 191.0 acres. Receiving streams: Unnamed tributaries to South Branch Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: July 10, 2013.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**17803108 and NPDES No. PA0127906. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849). Transfer of an existing bituminous surface mine from S.R.P. Coal Company. Site is located in Lawrence Township; **Clearfield County** affects 55.0 acres reclamation only. Receiving stream(s): Unnamed Tributary to Montgomery Creek and Montgomery Creek classified for the following use(s): Cold Water Fishes and Migratory Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 26, 2013.

**17850145 and NPDES No. PA0596710. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849). Transfer of an existing bituminous surface mine from S.R.P. Coal Company. Site is located in Lawrence Township; **Clearfield County** affects 42.1 acres reclamation only. Receiving stream(s): Unnamed Tributary to Montgomery Creek classified for the following use(s): Cold Water Fishes and Migratory Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 26, 2013.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**54830101R6. Joe Kuperavage Coal Company**, (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 263.0 acres, receiving stream: Silver Creek, classified for the following uses: cold water and migratory fishes. Application received: June 21, 2013.

#### *Noncoal Applications Returned*

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**26080401 and NPDES Permit No. PA0251372. Stone Materials, LLC** (P. O. Box 423, Reedsville, WV 26547). Permit denied for commencement, operation and reclamation of a noncoal large surface mine, located in Georges Township, **Fayette County**, affecting 262.8 acres. Receiving stream: Brownsfield Hollow Basin. Application received: April 18, 2008. Permit denied: July 11, 2013.

#### *Noncoal Applications Received*

**Effluent Limits**—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

| <i>Parameter</i>                     | <i>Table 2</i>                  | <i>Daily</i>                    | <i>Instantaneous</i> |
|--------------------------------------|---------------------------------|---------------------------------|----------------------|
|                                      | <i>30-day</i><br><i>Average</i> | <i>Maximum</i>                  | <i>Maximum</i>       |
| Suspended solids                     | 10 to 35 mg/l                   | 20 to 70 mg/l                   | 25 to 90 mg/l        |
| Alkalinity exceeding acidity*<br>pH* |                                 | greater than 6.0; less than 9.0 |                      |

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**45880301C5 and NPDES Permit No. PA0594113. Tarheel Quarries, LLC**, (PO Box 900, Blakeslee, PA 18610), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Tobyhanna Township, **Monroe County** affecting 406.0 acres, receiving stream: unnamed tributary to Lehigh River, classified for the following use: HQ—cold water fishes. Application received: June 18, 2013.

**5376SM13C7 and NPDES Permit No. PA0593915. American Asphalt Paving Co.**, (500 Chase Road, Shavertown, PA 18708), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Jackson Township, **Luzerne County** affecting 292.8 acres, receiving stream: Browns Creek, classified for the following use: cold water fishes. Application received: June 18, 2013.

**58110808 and NPDES Permit No. PA0595380. Ted Kazmierczak**, (1000 Union Street, Taylor, PA 18517), commencement, operation and restoration of a bluestone quarry operation and NPDES Permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Wellmans Creek, classified for the following use: HQ—cold water fishes. Application received: June 24, 2013.

**7675SM1C9 and NPDES Permit No. PA0124028. Pennsy Supply, Inc.**, (PO Box 3331, Harrisburg, PA

17105), renewal of NPDES Permit for discharge of treated mine drainage from a limestone quarry operation in West Cornwall and South Annville Townships, **Lebanon County** affecting 195.93 acres, receiving stream: Bachman's Run, classified for the following use: trout stock fishes. Application received: June 27, 2013.

### **FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request



are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1–693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.**

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401*

**E51-258. Philadelphia Water Department**, 1101 Market Street, Philadelphia, PA 19107, City and County of **Philadelphia**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities along the Delaware River (WWF) waterfront associated with the Laurel Street Combined Sewer Outfall Improvement Project:

1. To replace and maintain a 66-foot section of deteriorating timber and rock crib bulkhead along the Delaware River. The new bulkhead will be a cast-in-place concrete structure that incorporates an updated combined sewer outfall. Work will also include the placement and maintenance of 60 feet of steel sheet pile walls at the interface with the existing timber and rock crib bulkheads in the vicinity of Piers 43 and 44 North.
2. To replace and maintain the existing brick outfall with a series of three 11-foot high by 11-foot wide cast-in-place concrete box culverts.
3. To incorporate and maintain an existing 27-inch diameter separate storm sewer outfall into the new bulkhead.
4. To incorporate and maintain a new 48-inch diameter separate storm sewer outfall into the new bulkhead.

5. To construct and maintain a new 30-foot wide cast-in-place concrete outfall apron along the new bulkhead to prevent the undercutting of the new outfall structure and bulkhead.

6. To restore and maintain the surface along the bulkhead and piers in preparation for potential use as part of a public greenway.

7. To install and maintain a temporary in-water cofferdam and other appurtenances during the construction.

The site is located at the end of the former Laurel Street between Piers 43N and Pier 44N, near the existing Sugar House Casino (Philadelphia, PA USGS, Lat; 39° 57' 47"; Long; -75° 7' 59").

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E40-746. UGI Utilities, Inc.**, One UGI Center, Wilkes-Barre, PA 18711, in Dallas Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a road crossing in 0.23 acre of PEM wetlands adjacent to the Williams Company Natural Gas pipeline to provide access to UGI's electric line. The project location ROW is located 0.4 mile north of Dallas High School on Hildebrandt Road in Dallas Township, Luzerne Co (Kingston, PA Quadrangle, Latitude: 40°20'42"; Longitude: -75°56'32").

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335*

**E42-08-009, SWEPI, LP**, 2100 Georgetown Drive, Suite 400, Sewickley, PA 15143. Forest Road (FR) 457-A Slide Repair, in Wetmore Township, **McKean County**, Army Corps of Engineers Pittsburgh District (Westline, PA Quadrangle N: 41.751187°; W: -78.813875°).

The applicant proposes to repair and stabilize two recent slope failures along FR 457-A located in Wetmore Township, McKean County. This is a two phase project with phase one having already been completed on March 1, 2013 under Emergency Permit No. EP42308001. The first area is located directly south of FR 457-A, and the second, just north of an existing shallow well structure. The water obstructions and encroachments for the purpose of installing the natural gas pipeline are described below:

To construct and maintain:

| <i>Impact No.</i> | <i>Description of Impact</i>   | <i>Latitude / Longitude</i>   |
|-------------------|--|-------------------------------|
| 1                 | PH II: Reparation and stabilization of existing slide within palustrine forested (PFO) EV wetland having 62 square feet of permanent wetland impact.   | 41.751181° N<br>-78.813846° W |
| 2                 | PH II: Channelization of hydrologic flow of UNT to Meade Run and palustrine forested (PFO) EV wetland having 61 square feet of temporary wetland impact, 7 linear feet of temporary stream impact and 40 linear feet of permanent stream impact. | 41.751147° N<br>-78.813356° W |
| 3                 | PH II: Channelization of hydrologic flow of UNT to Meade Run 7 linear feet of temporary stream impact and 45 linear feet of permanent stream impact.   | 41.751200° N<br>-78.813511° W |
| 4                 | PH I: Installation and maintenance of R-6/R-4 rock material for slope stabilization within palustrine forested (PFO) EV wetland having 844 square feet of temporary wetland impact and 1,740 square feet of permanent wetland impact.            | 41.750822° N<br>-78.813869° W |

The project will result in a total of 14 linear feet of temporary stream impacts, 85 linear feet of permanent stream impacts, .021 acre of temporary wetland impacts and .041 acre of permanent wetland impact to EV wetlands from the installation of slope stabilization materials.

**E43-08-005, Pennant Midstream, LLC**, 5151 San Felipe, Houston, TX 77056, 130600/130700 Pipeline Project (Mercer), in Jefferson, Lackawannock, Shenango, and Wilmington Townships, **Mercer County**, Army Corps of Engineers Pittsburgh District (Edinburg, Fredonia, Greenfield, New Castle North, New Castle South, Sharon East, and Bessemer, Pa, New Middleton, OH Quadrangles N: 41° 5' 17.0016"; W: -80° 25' 10.9986").

The applicant proposes to construct and maintain approximately 15 miles of 24 inch diameter and 18 miles of 20 inch diameter natural gas pipeline in Mahoning, North Beaver, Union and Pulaski Townships, Lawrence County and Jefferson, Lackawannock, Shenango, and Wilmington Townships, Mercer County, PA. The proposed pipeline will connect Hilcorp Energy Company's well pads and production facility to Pennant's Hickory Bend Cryogenics Plant located in Mahoning County, OH. The water obstructions and encroachments in the Mercer County portion of the project are described below:

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

| <i>Impact No.</i> | <i>Description of Impact</i>   | <i>Latitude / Longitude</i>               |
|-------------------|--|---|
| 1                 | A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.   | 41° 15' 59.5146" N<br>-80° 18' 1.2024" W  |
| 2                 | A 20" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.  | 41° 15' 56.754" N<br>-80° 18' 15.8976" W  |
| 3                 | A 20" diameter natural gas pipeline to be bored under Lackawannock Creek (TSF).  | 41° 15' 53.856" N<br>-80° 18' 11.862" W   |
| 3                 | A 20" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.  | 41° 15' 56.754" N<br>-80° 18' 15.8976" W  |
| 4                 | A temporary road crossing of the floodway of a UNT to Lackawannock Creek (TSF).  | 41° 15' 53.3304" N<br>-80° 18' 25.3686" W |
| 5                 | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 131 linear feet of temporary stream impact.      | 41° 15' 49.1574" N<br>-80° 18' 25.6566" W |
| 6                 | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 83 linear feet of temporary stream impact.       | 41° 15' 44.7588" N<br>-80° 18' 25.4082" W |
| 7                 | A temporary road crossing of a UNT to Lackawannock Creek (TSF) and its associated floodway, having 83 linear feet of temporary stream impact.  | 41° 15' 44.0892" N<br>-80° 18' 24.5406" W |
| 8                 | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 133 linear feet of temporary stream impact.      | 41° 15' 33.5016" N<br>-80° 18' 26.607" W  |
| 9                 | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 103 linear feet of temporary stream impact.      | 41° 15' 30.4554" N<br>-80° 18' 29.5014" W |
| 10                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 117 linear feet of temporary stream impact.      | 41° 15' 25.0446" N<br>-80° 18' 27.756" W  |
| 11                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 150 linear feet of temporary stream impact.      | 41° 15' 20.1888" N<br>-80° 18' 31.6404" W |
| 12                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross the floodway of a UNT to Little Neshannock Creek (TSF), having .05 acre temporary floodway impact.                     | 41° 14' 29.709" N<br>-80° 19' 15.9702" W  |
| 13                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross Little Neshannock Creek (TSF) and its associated floodway, having 130 linear feet of temporary stream impact.          | 41° 14' 29.1114" N<br>-80° 19' 16.8924" W |
| 14                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 129 linear feet of temporary stream impact. | 41° 14' 27.7476" N<br>-80° 19' 20.0676" W |
| 15                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 134 linear feet of temporary stream impact. | 41° 14' 21.6924" N<br>-80° 19' 24.5202" W |
| 16                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 159 linear feet of temporary stream impact. | 41° 13' 44.5872" N<br>-80° 20' 8.6742" W  |

| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>               |
|-------------------|---|---|
| 17                | A temporary road crossing of a palustrine forested (PFO) wetland, having .08 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 13' 41.9514" N<br>-80° 20' 7.44" W    |
| 18                | A temporary road crossing of a palustrine forested (PFO) wetland, having .04 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 13' 41.9514" N<br>-80° 20' 7.44" W    |
| 18                | A temporary road crossing of the floodway of a UNT to Little Neshannock Creek (TSF).  | 41° 13' 41.9052" N<br>-80° 20' 5.982" W   |
| 19                | A temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .05 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.   | 41° 13' 37.635" N<br>-80° 20' 2.1768" W   |
| 19                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 23 linear feet of temporary stream impact.                                     | 41° 13' 38.0352" N<br>-80° 20' 1.377" W   |
| 20                | A temporary road crossing of a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 13' 21.1224" N<br>-80° 20' 4.6962" W  |
| 21                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 63 linear feet of temporary stream impact.                                     | 41° 13' 14.1558" N<br>-80° 20' 10.935" W  |
| 22                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) wetland, having .19 acre of temporary wetland impact.   | 41° 13' 9.4758" N<br>-80° 20' 16.3608" W  |
| 22                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 134 linear feet of temporary stream impact.                                    | 41° 13' 9.3174" N<br>-80° 20' 16.1556" W  |
| 23                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 131 linear feet of temporary stream impact.                                    | 41° 12' 54.0324" N<br>-80° 20' 22.7004" W |
| 24                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 144 linear feet of temporary stream impact.                                    | 41° 12' 49.1796" N<br>-80° 20' 25.9362" W |
| 25                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 128 linear feet of temporary stream impact.                                    | 41° 12' 43.6464" N<br>-80° 20' 25.9362" W |
| 26                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .04 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 12' 25.2966" N<br>-80° 20' 48.3936" W |
| 27                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .20 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 12' 25.2966" N<br>-80° 20' 48.3936" W |
| 28                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .01 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 12' 24.894" N<br>-80° 20' 59.5428" W  |
| 29                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .07 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 12' 24.894" N<br>-80° 20' 59.5428" W  |

| <i>Impact No.</i> | <i>Description of Impact</i>   | <i>Latitude / Longitude</i>               |
|-------------------|--|---|
| 30                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested, palustrine shrub-scrub, palustrine emergent (PFO/PSS/PEM) wetland, having .27 acre of temporary wetland impact with .22 acre of permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 12' 1.4646" N<br>-80° 21' 4.806" W    |
| 31                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .02 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.   | 41° 11' 55.3812" N<br>-80° 21' 7.4766" W  |
| 31                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross Harthegig Run (TSF) and its associated floodway, having 141 linear feet of temporary stream impact.  | 41° 11' 55.068" N<br>-80° 21' 7.8582" W   |
| 32                | A temporary road crossing of a palustrine emergent (PEM) wetland, having .06 acre of temporary wetland impact.   | 41° 11' 53.469" N<br>-80° 21' 7.6998" W   |
| 33                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .08 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.   | 41° 11' 33.3348" N<br>-80° 21' 40.3344" W |
| 34                | A temporary access road to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, utilizing an existing culvert.  | 41° 11' 9.7368" N<br>-80° 21' 55.7202" W  |
| 35                | A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.   | 41° 11' 5.1612" N<br>-80° 22' 1.8834" W   |
| 36                | A temporary access road to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, utilizing an existing culvert.  | 41° 11' 5.571" N<br>-80° 21' 54.1908" W   |
| 36                | A temporary access road to cross a palustrine shrub-scrub (PSS) wetland, having .0002 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.  | 41° 11' 4.956" N<br>-80° 21' 53.9742" W   |
| 37                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) wetland, having .15 acre of temporary wetland impact.  | 41° 11' 3.9156" N<br>-80° 22' 5.1744" W   |
| 38                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 286 linear feet of temporary stream impact.   | 41° 11' 0.4704" N<br>-80° 22' 14.2998" W  |
| 39                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 75 linear feet of temporary stream impact.  | 41° 10' 57.1152" N<br>-80° 22' 22.5588" W |
| 40                | A temporary road crossing of a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.   | 41° 10' 56.496" N<br>-80° 22' 24.9342" W  |
| 41                | A temporary road crossing of a palustrine forested (PFO) wetland, having .002 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 10' 56.496" N<br>-80° 22' 24.9342" W  |
| 42                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 41 linear feet of temporary stream impact.  | 41° 10' 52.8846" N<br>-80° 22' 29.6394" W |
| 43                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 51 linear feet of temporary stream impact.  | 41° 10' 51.7398" N<br>-80° 22' 29.7336" W |
| 43                | A temporary road crossing of a palustrine emergent (PEM) wetland, having .002 acre of temporary wetland impact.  | 41° 10' 51.711" N<br>-80° 22' 28.416" W   |
| 44                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .01 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.   | 41° 10' 50.1486" N<br>-80° 22' 30.651" W  |



| <i>Impact No.</i> | <i>Description of Impact</i>   | <i>Latitude / Longitude</i>               |
|-------------------|--|---|
| 45                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .10 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 10' 47.0028" N<br>-80° 22' 29.6724" W |
| 46                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross an UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 154 linear feet of temporary stream impact.                        | 41° 10' 45.5478" N<br>-80° 22' 30.6012" W |
| 46                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .15 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 10' 47.0028" N<br>-80° 22' 29.6724" W |
| 47                | A 20" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.  | 41° 10' 18.609" N<br>-80° 23' 1.2156" W   |
| 48                | A 20" diameter natural gas pipeline to be bored under West Branch Little Neshannock Creek (TSF).   | 41° 10' 15.2904" N<br>-80° 23' 2.8494" W  |
| 48                | A 20" diameter natural gas pipeline to be bored under a palustrine shrub—scrub (PSS) wetland.  | 41° 10' 15.3048" N<br>-80° 23' 2.5506" W  |
| 49                | A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.   | 41° 10' 13.7136" N<br>-80° 23' 2.9718" W  |
| 49A               | A temporary access road to cross the floodway of a UNT to West Branch Little Neshannock Creek (TSF).   | To Be Determined                          |
| 50                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine emergent (PEM) wetland, having .13 acre of temporary wetland impact.  | 41° 9' 46.7346" N<br>-80° 23' 8.3178" W   |
| 50                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 151 linear feet of temporary stream impact.                         | 41° 9' 46.7208" N<br>-80° 23' 8.505" W    |
| 52                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 164 linear feet of temporary stream impact.                         | 41° 9' 31.0926" N<br>-80° 23' 2.2776" W   |
| 52                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine emergent (PEM) wetland, having .01 acre of temporary wetland impact.  | 41° 9' 32.3136" N<br>-80° 23' 1.176" W    |
| 53                | A temporary road crossing of a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 47 linear feet of temporary stream impact.   | 41° 9' 23.0868" N<br>-80° 22' 59.1708" W  |
| 54                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .08 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 9' 0.1506" N<br>-80° 23' 5.481" W     |
| 55                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .27 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 9' 0.1506" N<br>-80° 23' 5.481" W     |
| 56                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 9' 0.1506" N<br>-80° 23' 5.481" W     |
| 57                | A temporary access road to cross a palustrine emergent (PEM) wetland, having .01 acre of temporary wetland impact.   | 41° 8' 45.0204" N<br>-80° 22' 57.4422" W  |
| 58                | A temporary access road to cross a palustrine emergent (PEM) wetland, having .0004 acre of temporary wetland impact.   | 41° 8' 38.277" N<br>-80° 22' 52.734" W    |
| 59                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .002 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 41° 8' 38.8608" N<br>-80° 23' 5.3406" W   |



| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>              |
|-------------------|---|--|
| 60                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub, palustrine emergent (PSS/PEM) EV wetland, having .28 acre of temporary wetland impact with .15 acre of permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 41° 8' 33.525" N<br>-80° 23' 15.6618" W  |
| 61                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) EV wetland, having .03 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.                                      | 41° 8' 29.0682" N<br>-80° 23' 13.4808" W |
| 62                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross the floodway of a UNT to Buchanan Run (WWF).  | 41° 8' 27.5568" N<br>-80° 23' 15.5292" W |
| 63                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 127 linear feet of temporary stream impact.   | 41° 8' 27.5568" N<br>-80° 23' 15.5292" W |
| 64                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) EV wetland, having .30 acre of temporary wetland impact.   | 41° 8' 24.0684" N<br>-80° 23' 21.6024" W |
| 64                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 126 linear feet of temporary stream impact.   | 41° 8' 25.4292" N<br>-80° 23' 22.5168" W |
| 65                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 106 linear feet of temporary stream impact.   | 41° 8' 7.3062" N<br>-80° 23' 30.0984" W  |
| 66                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 110 linear feet of temporary stream impact.   | 41° 7' 44.4174" N<br>-80° 23' 37.428" W  |

**E37-08-001, Pennant Midstream, LLC**, 5151 San Felipe, Houston, TX 77056, 130600/130700 Pipeline Project (Lawrence), in Mahoning, North Beaver, Union and Pulaski Townships, **Lawrence County**, Army Corps of Engineers Pittsburgh District (Edinburg, Fredonia, Greenfield, New Castle North, New Castle South, Sharon East, and Bessemer, Pa, New Middleton, OH Quadrangles N: 41° 5' 17.0016"; W: -80° 25' 10.9986").

The applicant proposes to construct and maintain approximately 15 miles of 24 inch diameter and 18 miles of 20 inch diameter natural gas pipeline in Mahoning, North Beaver, Union and Pulaski Townships, Lawrence County and Jefferson, Lackawannock, Shenango, and Wilmington Townships, Mercer County, PA. The proposed pipeline will connect Hilcorp Energy Company's well pads and production facility to Pennant's Hickory Bend Cryogenics Plant located in Mahoning County, OH. The water obstructions and encroachments in the Lawrence County portion of the project are described below:

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

| <i>Impact No.</i> | <i>Description of Impact</i>   | <i>Latitude / Longitude</i>              |
|-------------------|--|--|
| 67                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross Buchanan Run (WWF) and its associated floodway, having 171 linear feet of temporary stream impact.            | 41° 7' 30.021" N<br>-80° 24' 21.999" W   |
| 69                | A 20" diameter natural gas pipeline with associated right-of-way to cross the floodway of a UNT to Buchanan Run (WWF).   | 41° 7' 24.7038" N<br>-80° 24' 23.2272" W |
| 70                | A 20" diameter natural gas pipeline with associated right-of-way to cross the floodway of a UNT to Buchanan Run (WWF).   | 41° 7' 21.2052" N<br>-80° 24' 26.499" W  |
| 71                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 59 linear feet of temporary stream impact.  | 41° 6' 51.429" N<br>-80° 24' 13.8954" W  |
| 72                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .49 acre of temporary wetland impact.                             | 41° 6' 48.9132" N<br>-80° 24' 10.0794" W |
| 73                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 127 linear feet of temporary stream impact. | 41° 6' 21.906" N<br>-80° 23' 58.617" W   |
| 74                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 131 linear feet of temporary stream impact. | 41° 6' 17.3052" N<br>-80° 23' 58.6998" W |

| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>              |
|-------------------|---|--|
| 75                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 137 linear feet of temporary stream impact.  | 41° 6' 5.5866" N<br>-80° 24' 11.2998" W  |
| 76                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 258 linear feet of temporary stream impact.  | 41° 6' 0.9828" N<br>-80° 24' 11.6964" W  |
| 77                | A 20" diameter natural gas pipeline with associated right-of-way to cross the floodway of a UNT to Shenango River (WWF).  | 41° 5' 59.4162" N<br>-80° 24' 9.7092" W  |
| 78                | A 20" diameter natural gas pipeline with associated right-of-way to cross the floodway of a UNT to Shenango River.  | 41° 5' 51.5754" N<br>-80° 24' 19.9686" W |
| 79                | A 20" diameter natural gas pipeline with associated right-of-way to cross a pond, having .01 acre of temporary impact.  | 41° 5' 37.5072" N<br>-80° 24' 45.5904" W |
| 80                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .13 acre of temporary wetland impact.  | 41° 5' 34.5876" N<br>-80° 24' 42.5622" W |
| 81                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .06 acre of temporary wetland impact.  | 41° 5' 32.0172" N<br>-80° 24' 44.1462" W |
| 82                | A 20" diameter natural gas pipeline to be bored under the Shenango River (WWF).   | 41° 5' 23.8092" N<br>-80° 24' 44.4522" W |
| 83                | A 20" diameter natural gas pipeline to be bored under a palustrine unconsolidated bottom (PUB) wetland.   | 41° 5' 18.186" N<br>-80° 24' 49.3302" W  |
| 84                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .005 acre of temporary wetland impact.   | 41° 5' 8.6532" N<br>-80° 24' 53.622" W   |
| 85                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .12 acre of temporary wetland impact.  | 41° 5' 8.6532" N<br>-80° 24' 53.622" W   |
| 86                | A temporary access road to cross the floodway of a UNT to Shenango River (WWF).   | 41° 5' 33.6114" N<br>-80° 25' 52.2258" W |
| 87                | A temporary access road to cross a UNT to Shenango River (WWF) and its associated floodway, utilizing an existing culvert.  | 41° 5' 36.8154" N<br>-80° 25' 36.336" W  |
| 88                | A temporary access road to cross a UNT to Shenango River (WWF) and its associated floodway, utilizing an existing culvert.  | 41° 5' 24.8274" N<br>-80° 25' 14.0154" W |
| 89                | A temporary access road to cross a UNT to Shenango River (WWF) and its associated floodway, utilizing an existing culvert.  | 41° 5' 25.0794" N<br>-80° 25' 15.06" W   |
| 90                | A temporary access road to cross a palustrine forested (PFO) wetland, having .004 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.   | 41° 5' 24.4968" N<br>-80° 25' 10.4772" W |
| 91                | A temporary access road to cross a palustrine emergent (PEM) wetland, having .0002 acre of temporary wetland impact.  | 41° 5' 22.3974" N<br>-80° 25' 5.8506" W  |
| 92                | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .02 acre of temporary wetland impact.  | 41° 5' 7.4796" N<br>-80° 25' 10.9848" W  |
| 93                | A 20" diameter natural gas pipeline and a 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .16 acre of temporary wetland impact.                              | 41° 5' 7.4796" N<br>-80° 25' 10.9848" W  |
| 93                | A 20" diameter natural gas pipeline and a 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross an UNT to Shenango River (WWF) and its associated floodway, having 126 linear feet of temporary stream impact. | 41° 5' 8.3754" N<br>-80° 25' 10.704" W   |
| 94                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Shenango River (WWF).   | 41° 5' 8.6994" N<br>-80° 25' 10.3074" W  |
| 95                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Shenango River (WWF).   | 41° 5' 8.124" N<br>-80° 25' 10.0194" W   |

| <i>Impact No.</i> | <i>Description of Impact</i>   | <i>Latitude / Longitude</i>              |
|-------------------|--|--|
| 96                | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .13 acre of temporary wetland impact.   | 41° 4' 48.4026" N<br>-80° 24' 45.2442" W |
| 97                | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .10 acre of temporary wetland impact.   | 41° 4' 41.1126" N<br>-80° 24' 37.1766" W |
| 97                | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 134 linear feet of temporary stream impact.   | 41° 4' 39.576" N<br>-80° 24' 40.104" W   |
| 98                | A temporary access road to cross a UNT to Shenango River (WWF) and its associated floodway, utilizing an existing culvert.   | 41° 4' 36.7314" N<br>-80° 24' 44.8914" W |
| 99                | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 198 linear feet of temporary stream impact.   | 41° 4' 18.2634" N<br>-80° 24' 30.6" W    |
| 100               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .03 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 3' 30.5346" N<br>-80° 25' 12.6912" W |
| 101               | A temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 27 linear feet of temporary stream impact.   | 41° 3' 9.2874" N<br>-80° 25' 30.4674" W  |
| 102               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .17 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 2' 58.0488" N<br>-80° 25' 33.3552" W |
| 103               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 2' 58.0488" N<br>-80° 25' 33.3552" W |
| 104               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .28 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 2' 58.0488" N<br>-80° 25' 33.3552" W |
| 105               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 76 linear feet of temporary stream impact.  | 41° 2' 55.536" N<br>-80° 25' 23.8434" W  |
| 106               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 19 linear feet of temporary stream impact.  | 41° 2' 46.3194" N<br>-80° 25' 4.728" W   |
| 106               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .10 acre of temporary wetland impact.   | 41° 2' 47.382" N<br>-80° 25' 4.584" W    |
| 107               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 19 linear feet of temporary stream impact.  | 41° 2' 29.436" N<br>-80° 25' 1.38" W     |
| 108               | A 24" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF).   | 41° 2' 21.9588" N<br>-80° 25' 5.0406" W  |
| 109               | A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.   | 41° 2' 24.3234" N<br>-80° 25' 3.2154" W  |
| 109               | A 24" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF).   | 41° 2' 21.9588" N<br>-80° 25' 5.0406" W  |
| 110               | A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.   | 41° 2' 21.9588" N<br>-80° 25' 5.0406" W  |
| 111               | A temporary road of a palustrine emergent (PEM) wetland, having .0007 acre of temporary wetland impact.  | 41° 2' 12.3894" N<br>-80° 25' 17.5794" W |
| 112               | A 24" diameter natural gas pipeline to be bored under a palustrine emergent, palustrine shrub-scrub (PEM/PSS) wetland.   | 41° 2' 7.7172" N<br>-80° 25' 25.3272" W  |
| 113               | A 24" diameter natural gas pipeline to be bored under a palustrine emergent, (PEM) wetland.  | 41° 2' 7.7172" N<br>-80° 25' 25.3272" W  |

| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>              |
|-------------------|---|--|
| 114               | A 24" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF).  | 41° 2' 7.4034" N<br>-80° 25' 25.1394" W  |
| 114               | A 24" diameter natural gas pipeline to be bored under a palustrine emergent, palustrine shrub-scrub (PEM/PSS) wetland.  | 41° 2' 7.7172" N<br>-80° 25' 25.3272" W  |
| 115               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 144 linear feet of temporary stream impact.  | 41° 1' 45.444" N<br>-80° 25' 32.9154" W  |
| 116               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 179 linear feet of temporary stream impact.  | 41° 1' 36.66" N<br>-80° 25' 38.0634" W   |
| 117               | A temporary road to cross a palustrine emergent (PEM) wetland, having .06 acre of temporary wetland impact.   | 41° 1' 25.6296" N<br>-80° 25' 46.7826" W |
| 118               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .02 acre of temporary wetland impact.  | 41° 1' 22.2636" N<br>-80° 25' 47.7804" W |
| 118               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 264 linear feet of temporary stream impact.  | 41° 1' 22.7274" N<br>-80° 25' 47.0634" W |
| 119               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .03 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 41° 1' 19.3872" N<br>-80° 25' 42.8808" W |
| 119               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 150 linear feet of temporary stream impact.  | 41° 1' 19.812" N<br>-80° 25' 44.4714" W  |
| 120               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .20 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 41° 1' 19.3872" N<br>-80° 25' 42.8808" W |
| 121               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .25 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 41° 1' 19.3872" N<br>-80° 25' 42.8808" W |
| 121               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 150 linear feet of temporary stream impact.  | 41° 1' 18.84" N<br>-80° 25' 41.8794" W   |
| 122               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 172 linear feet of temporary stream impact.  | 41° 1' 16.1394" N<br>-80° 25' 37.2354" W |
| 123               | A temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 112 linear feet of temporary stream impact.   | 41° 1' 16.9314" N<br>-80° 25' 35.544" W  |
| 124               | A temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 116 linear feet of temporary stream impact.   | 41° 1' 16.1394" N<br>-80° 25' 37.2354" W |
| 125               | A 24" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.   | 41° 1' 1.4514" N<br>-80° 25' 44.1552" W  |
| 126               | A 24" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.   | 41° 1' 2.0532" N<br>-80° 25' 52.4094" W  |
| 127               | A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.  | 41° 0' 55.1844" N<br>-80° 25' 46.6998" W |
| 128               | A 24" diameter natural gas pipeline to be bored under Mahoning River (WWF).   | 41° 0' 52.884" N<br>-80° 25' 50.4834" W  |
| 129               | A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.  | 41° 0' 53.1684" N<br>-80° 26' 3.1776" W  |
| 130               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 131 linear feet of temporary stream impact.  | 41° 0' 43.4154" N<br>-80° 26' 30.012" W  |
| 131               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .14 acre of temporary wetland impact.  | 41° 0' 42.894" N<br>-80° 26' 39.4794" W  |



| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>               |
|-------------------|---|---|
| 132               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Mahoning River (WWF).   | 41° 0' 16.128" N<br>-80° 26' 53.3034" W   |
| 133               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .13 acre of temporary wetland impact.  | 41° 0' 8.496" N<br>-80° 26' 52.8102" W    |
| 133               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 78 linear feet of temporary stream impact.   | 41° 0' 7.74" N<br>-80° 26' 54.204" W      |
| 134               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .05 acre of temporary wetland impact.  | 40° 59' 59.679" N<br>-80° 26' 52.3392" W  |
| 134               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 144 linear feet of temporary stream impact.  | 40° 59' 59.0994" N<br>-80° 26' 51.8994" W |
| 135               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .09 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 40° 59' 34.4826" N<br>-80° 27' 26.2764" W |
| 136               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .10 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 40° 59' 28.2156" N<br>-80° 27' 31.1358" W |
| 137               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .05 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.    | 40° 59' 20.382" N<br>-80° 27' 30.9522" W  |
| 138               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .07 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 40° 59' 19.4238" N<br>-80° 27' 37.602" W  |
| 139               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .92 acre of temporary wetland impact.  | 40° 59' 10.392" N<br>-80° 27' 52.9158" W  |
| 140               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .05 acre of temporary wetland impact.  | 40° 58' 43.1358" N<br>-80° 27' 55.44" W   |
| 141               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Hickory Run (TSF).  | 40° 58' 41.628" N<br>-80° 27' 54.5754" W  |
| 141               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .05 acre of temporary wetland impact.  | 40° 58' 43.1358" N<br>-80° 27' 55.44" W   |
| 142               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 8 linear feet of temporary stream impact.   | 40° 58' 41.052" N<br>-80° 27' 54.144" W   |
| 143               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross Hickory Run (TSF) and its associated floodway, having 182 linear feet of temporary stream impact.  | 40° 58' 40.2594" N<br>-80° 27' 54.648" W  |
| 144               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .53 acre of temporary wetland impact.  | 40° 58' 36.0768" N<br>-80° 27' 55.926" W  |
| 145               | A temporary road to cross the floodway of a UNT to Hickory Run (TSF).   | 40° 57' 25.4154" N<br>-80° 30' 8.6394" W  |
| 146               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 128 linear feet of temporary stream impact.   | 40° 57' 25.4154" N<br>-80° 30' 8.6394" W  |
| 147               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 92 linear feet of temporary stream impact.  | 40° 57' 23.8674" N<br>-80° 30' 15.5874" W |



| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>               |
|-------------------|---|---|
| 148               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 110 linear feet of temporary stream impact.   | 40° 57' 24.3714" N<br>-80° 30' 16.8834" W |
| 149               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .15 acre of temporary wetland impact.  | 40° 57' 24.9078" N<br>-80° 30' 19.8786" W |
| 150               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .03 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 40° 57' 24.9078" N<br>-80° 30' 19.8786" W |
| 151               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .13 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.    | 40° 57' 24.9078" N<br>-80° 30' 19.8786" W |
| 151               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 70 linear feet of temporary stream impact.  | 40° 57' 24.228" N<br>-80° 30' 26.82" W    |
| 152               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .05 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.    | 40° 57' 24.9078" N<br>-80° 30' 19.8786" W |
| 153               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .17 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.    | 40° 57' 24.9078" N<br>-80° 30' 19.8786" W |
| 154               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .09 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.    | 40° 57' 24.9078" N<br>-80° 30' 19.8786" W |
| 154               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross an UNT to Hickory Run (TSF) and its associated floodway, having 57 linear feet of temporary stream impact.   | 40° 57' 20.7" N<br>-80° 30' 38.736" W     |
| 155               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Hickory Run (TSF).  | 40° 57' 22.3554" N<br>-80° 30' 41.8674" W |
| 155               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .07 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.    | 40° 57' 24.9078" N<br>-80° 30' 19.8786" W |
| 156               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .28 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.    | 40° 57' 24.9078" N<br>-80° 30' 19.8786" W |
| 157               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .33 acre of temporary wetland impact.  | 40° 57' 26.247" N<br>-80° 31' 2.8956" W   |
| 158               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .34 acre of temporary wetland impact.  | 40° 57' 26.247" N<br>-80° 31' 2.8956" W   |
| 158               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 139 linear feet of temporary stream impact.   | 40° 57' 25.38" N<br>-80° 31' 0.5874" W    |
| 159               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .25 acre of temporary wetland impact.  | 40° 57' 35.46" N<br>-80° 31' 7.1754" W    |

*District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E6629-018: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, North Branch Township, Wyoming County, ACOE Baltimore District. To con-

struct, operate and maintain the Poepperling Location, which consists of a Marcellus Shale natural gas well pad situated within the headwaters of a UNT to Miller Brook (CWF, MF) impacting 775.0 linear feet of streambed and 7,750 square feet (0.18 acre) of floodway via the placement of fill.

**E5729-058: Carrizo Marcellus, LLC**, 251 Drainlick Road, P. O. Box 231, Drifting, PA 16834, Fox Township, **Sullivan County**, ACOE Baltimore District. To construct, operate, and maintain:

1) a permanent access road, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 70 linear feet of an unnamed tributary to Schrader Creek (EV) and 426 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Grover, PA Quadrangle 41°34'28"N, 76°47'09"W);

2) a permanent access road, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 107 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'21"N, 76°47'16"W);

3) a permanent access road, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 65 linear feet of an unnamed tributary to Schrader Creek (EV) and 289 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Grover, PA Quadrangle 41°34'14"N, 76°47'16"W);

4) a permanent access road, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 74 linear feet of an unnamed tributary to Schrader Creek (EV) and 213 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Grover, PA Quadrangle 41°34'12"N, 76°47'16"W);

5) a permanent access road, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 66 linear feet of an unnamed tributary to Rock Run (EV) and 508 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Grover, PA Quadrangle 41°33'51"N, 76°47'11"W);

6) a permanent access road, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 60 linear feet of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'47"N, 76°47'09"W);

7) a permanent access road, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 80 linear feet of Rock Run (EV) (Grover, PA Quadrangle 41°33'40"N, 76°47'12"W);

8) a permanent access road, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 76 linear feet of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'28"N, 76°47'31"W);

9) a permanent access road, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 77 linear feet of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'28"N, 76°47'35"W);

10) Stream bank stabilization impacting 675 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'18"N, 76°47'16"W); The project will result in 1,010 square feet (0.02 acre) of temporary wetland impacts, 426 square feet of permanent wetland impacts, 1,083 linear feet of permanent stream impacts, and 257 linear feet of temporary stream impacts will result from the stream bank stabilization and the installation of an access road to the Baumunk Lake South Well Pad in Fox Township, Sullivan County.

#### ENVIRONMENTAL ASSESSMENT

*Northcentral Region: Program Manager, Waterways & Wetlands Program, 208 West Third Street, Williamsport, PA 17701*

**EA14-008. Beech Creek Watershed Association, Inc.**, PO Box 286, Mill Hall, PA 17751. Contrary Run SM7-8, in Snow Shoe Township, **Centre County**, ACOE Baltimore District.

To: 1) place and maintain fill in 0.25 acre of wetlands in an effort to recreate pre-mining contours and to construct an Acid Mine Drainage treatment system, 2) removal mining spoil materials from the floodplain of Contrary Run with the end result being the creation of new wetlands, 3) fill or reroute 926 feet of tributaries to Contrary Run and Contrary Run, 4) construct and maintain 950 feet of new stream channel to convey a tributary of Contrary Run around and through the project area. The purpose of the project is to remediate acid mine drainage in Contrary Run by constructing a passive treatment system and to reclaim hazardous highwall areas. The project will permanently impact 0.385 acre of wetlands and 926 linear feet of stream channel, which are classified as Cold Water Fisheries. Environmental restoration benefits resulting from the project are proposed to mitigate for the wetland and stream impacts.

(Snow Shoe, PA Quadrangle N: 41°04'3"; W: -77°56'15.6").

## ACTIONS

### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

| <i>Location</i> | <i>Permit Authority</i> | <i>Application Type or Category</i>                            |
|-----------------|-------------------------|--|
| Section I       | NPDES                   | Renewals   |
| Section II      | NPDES                   | New or Amendment   |
| Section III     | WQM                     | Industrial, Sewage or Animal Wastes; Discharges to Groundwater |
| Section IV      | NPDES                   | MS4 Individual Permit  |

| <i>Location</i> | <i>Permit Authority</i> | <i>Application Type or Category</i>          |
|-----------------|-------------------------|--|
| Section V       | NPDES                   | MS4 Permit Waiver                            |
| Section VI      | NPDES                   | Individual Permit Stormwater Construction    |
| Section VII     | NPDES                   | NOI for Coverage under NPDES General Permits |

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

#### **I. NPDES Renewal Permit Actions**

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

| <i>NPDES No.<br/>(Type)</i>            | <i>Facility Name &amp;<br/>Address</i>                                   | <i>County &amp;<br/>Municipality</i>            | <i>Stream Name<br/>(Watershed No.)</i>         | <i>EPA Waived<br/>Y/N?</i> |
|--|--|---|--|----------------------------|
| PA0036463<br>Minor Industrial<br>Waste | OMNOVA Solutions<br>Auburn Plant<br>95 Hickory Drive<br>Auburn, PA 17922 | Schuylkill County<br>West Brunswick<br>Township | Unnamed Tributary to<br>Schuylkill River (3-A) | Y                          |

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>   | <i>County &amp;<br/>Municipality</i>          | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|--|---|--------------------------------------|-----------------------------|
| PA0247928<br>(Sew)          | Hopewell Township<br>415 Three Square Hollow Road<br>Newburg, PA 17240-9333                            | Cumberland County /<br>Hopewell Township      | UNT Peebles Run / 7-B                | Y                           |
| PA0246590<br>(Sew)          | Dennis McClure<br>3469 McAlevys Fort Road<br>Petersburg, PA 16669                                      | Huntingdon County /<br>Jackson Township       | UNT Laurel Run / 11-B                | Y                           |
| PA0009440 (IW)              | PA American Water Company—<br>Silver Spring Water Plant<br>852 Wesley Drive<br>Mechanicsburg, PA 17055 | Cumberland County /<br>Silver Spring Township | Conodoguinet Creek /<br>7-B          | Y                           |

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

| <i>NPDES No.<br/>(Type)</i>   | <i>Facility Name &amp;<br/>Address</i>                              | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N</i> |
|-------------------------------|---|--------------------------------------|--------------------------------------|---------------------------|
| PA0216895<br>Industrial Waste | Highridge Water System<br>Ross Mtn Park Rd<br>Blairsville, PA 15717 | Westmoreland Cnty<br>Fairfield Twp   | Tubmill Creek                        | Y                         |
| PA0216364<br>Industrial Waste | Center Twp Water Auth<br>200 Fairview Ave<br>Monaca, PA 15061       | Beaver Cnty<br>Center Twp            | Rag Run                              | Y                         |

| <i>NPDES No.<br/>(Type)</i>   | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i>    | <i>Stream Name<br/>(Watershed #)</i>                        | <i>EPA Waived<br/>Y/N</i>   |
|---|---|---|---|-----------------------------|
| PA0096172<br>Industrial Waste   | Muni Auth Westmoreland Cnty<br>124 Park & Pool Rd<br>New Stanton, PA 15672            | Allegheny Cnty<br>McKeesport City       | Youghiogheny River  | Y                           |
| PA0216895<br>Industrial Waste   | Indian Creek Valley Water Auth<br>Millertown Rd<br>Indian Head, PA 15446              | Fayette Cnty<br>Saltlick Twp            | Neals Run   | Y                           |
| PA0216399<br>Industrial Waste   | Conemaugh Twp Muni Auth<br>SR 985<br>TR 534<br>Davidsville, PA 15928-0429             | Somerset Cnty<br>Jenner Twp             | S Fork Bens Creek &<br>UNT to S fork Bens<br>Creek          | Y                           |
| PA0219037<br>Industrial Waste   | Saltlick WTP<br>Mineral Pt Rd<br>Mineral Point, PA 15904                              | Cambria Cnty<br>E Taylor Twp            | Saltlick Run  | Y                           |
| PA0218006<br>Sewage   | Blacklegs STP<br>710 First St<br>T 510<br>Saltsburg, PA 15681-8023                    | Indiana Cnty<br>Conemaugh Twp           | Blacklegs Creek   | Y                           |
| PA0216216<br>Sewage   | Raccoon Creek WWTP<br>7 Columbia Dr<br>Burgettstown, PA 15021                         | Washington Cnty<br>Smith Twp            | Raccoon Creek   | Y                           |
| PA0219185<br>Sewage   | Glen Campbell Boro<br>SR 286 N<br>Glen Campbell, PA 15706                             | Indiana Cnty<br>Glen Campbell Boro      | Brady Run   | Y                           |
| PA0093050<br>Sewage   | Black Lick STP<br>8293 RT 119<br>Black Lick, PA 15716                                 | Indiana Cnty<br>Burrell Twp             | Blacklick Creek   | Y                           |
| <i>Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481</i> |   |   |   |                             |
| <i>NPDES No.<br/>(Type)</i>   | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i>    | <i>Stream Name<br/>(Watershed #)</i>                        | <i>EPA Waived<br/>Y/N ?</i> |
| PA0222585<br>(Sewage)   | Brokenstraw Valley<br>Area Authority STP<br>770 Rouse Avenue<br>Youngsville, PA 16371 | Warren County<br>Pleasant Township      | Allegheny River (16-B)                                      | Y                           |
| PA0033049<br>(Sewage)   | PA DOT Rest Area 25<br>I-80 Eastbound   | Jefferson County<br>Pine Creek Township | Unnamed Tributary to<br>Fivemile Run (17-C)                 | Y                           |
| PA0210404<br>(Sewage)   | Melvin J Wachob SFTF<br>4916 Glen Hazel Road<br>Wilcox, PA 15870                      | Elk County<br>Jones Township            | Unnamed Tributary to<br>East Branch Clarion<br>River (17-A) | Y                           |

## II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401*

**NPDES Permit No. PA0057274**, Sewage, **Michael R. & Antionette Hughes**, 305 Auburn Drive, Downingtown, PA 19335.

This proposed facility is located in Upper Uwchlan Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Hughes SRSTP to Unnamed Tributary to Marsh Creek in Watershed 3-H.

**NPDES Permit No. PA0030848**, Sewage, **Unionville Chadds Ford School District**, 740 Unionville Road, Kennett Square, PA 19348.

This proposed facility is located in Pennsbury Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Chadds Ford Elementary School STP to Ring Run in Watershed 3-H.

**NPDES Permit No. PA0052922**, Industrial, **Philadelphia Macaroni Company**, 40 Jacksonville Road, Warminster, PA 18974-4804.

This proposed facility is located in Warminster Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 0.0072 mgd of non-contact cooling water from a facility known as Philadelphia Macaroni company Warminster Plant to an Unnamed Tributary of Pennypack Creek in Watershed 3-J.



*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**NPDES Permit No. PA0027669** Sewage, **McCandless Twp Sani Auth**, 418 Arcadia Dr, PGH, PA 15237-5597

This proposed facility is located in Hampton Twp, **Allegheny Cnty**

Description of Proposed Action/Activity: Permit issuance to discharge treated sewage.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**NPDES Permit No. PA0272647**, Sewage, **J. Thomas & Karen L. Chatham**, P.O. Box 242, Polk, PA 16342.

This proposed facility is located in Frenchcreek Township, **Venango County**.

Description of Proposed Action/Activity: New NPDES permit for a Single Residence Sewage Treatment Plant.

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### III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401*

**WQM Permit No. WQG02151305**, Sewage, **Willistown Township**, 40 Lloyd Avenue, Suite 204/206, Malvern, PA 19355.

This proposed facility is located in Willistown Township, **Chester County**.

Description of Action/Activity: Construction and operation of a 20,350 gpd low pressure system to serve a new 55 EDU subdivision and 19 EDU's from an adjacent property that is currently served by an on-lot system.

**WQM Permit No. 1596417**, Sewage, **Amendment, New Garden Township Municipal Authority**, 299 Starr Road, Landenberg, PA 19350.

This proposed facility is located in New Garden Township, **Chester County**.

Description of Action/Activity: DEP Initiated to increase the storage capacity flow.

**WQM Permit No. 1596432**, Sewage, **Amendment, New Garden Township Municipal Authority**, 299 Starr Road, Landenberg, PA 19350.

This proposed facility is located in New Garden Township, **Chester County**.

Description of Action/Activity: DEP Initiated to increase the storage capacity flow.

**WQM Permit No. 1512201**, Industrial Waste, **Southeastern Chester County Refuse Authority**, P.O. Box 221, Kennett Square, PA 19348.

This proposed facility is located in London Grove Township, **Chester County**.

Description of Action/Activity; Construction of a 2,500 gpd ultra-filtration and reverse osmosis landfill leachate treatment plant with spray irrigation system.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 2813201, CAFO, Burk-Lea Farms**, 3125 Grand Point Road, Chambersburg, PA 17201.

This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Construction / Operation of circular concrete manure storage facilities at 3099 Grand Point Road.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**WQM Permit No. WQG026131**, Sewerage, **Allegheny Cnty Airport Auth**, 1000 Airport Blvd, Ste 4000, PGH, PA 15231-0370

This proposed facility is located in Findlay Twp, **Washington Cnty**

Description of proposed Action/Activity: Permit issuance for the construction and operation of a pump station and sewer extension.

**WQM Permit No. WQG026142**, Sewerage, **Derry Twp Muni Auth**, PO Box 250, New Derry, PA 15671

This proposed facility is located in Derry Twp, **Westmoreland Cnty**

Description of proposed Action/Activity: Permit issuance for the construction and operation of a pump station and sewer extension.

**WQM Permit No. 5613400**, Sewerage, **Indian Lake Boro**, 1301 Causeway Dr, Central City, PA 15926

This proposed facility is located in Indian Lake Boro, **Somerset Cnty**

Description of proposed Action/Activity: Permit issuance for the construction and operation of a single residence STP.



*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**WQM Permit No. 1001401**, Sewage, **Amendment No. 2, Prospect Borough Butler County**, 159 Monroe Street, Prospect, PA 16052.

This existing facility is located in Franklin Township, **Butler County**.

Description of Proposed Action/Activity: Amendment to existing WQM Permit to install EQ tank improvements to automate operation of the EQ tank and better control EQ tank discharge.

**WQM Permit No. 1001401**, Sewage, **Amendment No. 1, Prospect Borough Butler County**, 159 Monroe Street, Prospect, PA 16052.

This existing facility is located in Franklin Township, **Butler County**.

Description of Proposed Action/Activity: Cancellation of Amendment No. 1 to existing WQM Permit No. 1001401.

**WQM Permit No. 3384402**, Sewerage, **Amendment No. 1, Reynoldsville Sewer Authority**, 400 North Fifth Street, Reynoldsville, PA 15851.

This existing facility is located in Reynoldsville Borough, **Jefferson County**.

Description of Proposed Action/Activity: Amendment to existing permit to upgrade sewage treatment plant.

The existing grit system will be removed and replaced with a new 'fine' screen, compactor and optional grinder. The existing grit chamber area will also be retrofitted to include an area for settling grit. An 18-inch effluent channel gate will be installed at the end of the chamber to control operating water levels.

Abandon the sludge drying beds and replace it with a new solid's dewatering/maintenance building. The solids dewatering equipment will include a new rotary fan press, polymer addition, flocculation unit and a sludge conveyance system.

Replace the existing sludge transfer pump with a Penn Valley double disc pump. The pump will transfer sludge from the Imhoff Tank to the new rotary fan press. A 4-inch 'Muffin Monster' will be installed ahead of the pump.

Install current density baffles in the final clarifiers.

Replace the existing 12-inch pipe between the RBC's and the final clarifier with a 16-inch line.

Replacement of 2 RBC assemblies and 5 drive assemblies

Addition of a supplemental aeration system to the RBC's.

Miscellaneous site work to improve plant security.

**WQM Permit No. 4209402**, Sewage, **Amendment No. 1, Hamlin Township McKean County**, P.O. Box 680, Mount Jewett, PA 16740-0680.

This existing facility is located in Mount Jewett Borough, **McKean County**.

Description of Proposed Action/Activity: This permit amendment approves the modification of sewage facilities consisting of the elimination of Pump Station D by rerouting and deepening the gravity sewer in certain areas and running the sewers to Pump Station C, the relocation of Pump Station C to the rear of the property closer to the sewer line, and the increase in diameter of the force mains for Pump Stations A, B, and C from 4 inches to 6 inches to reduce the total head.

**WQM Permit No. 1013404**, Sewage, **Butler Area Sewer Authority**, 100 Litman Road, Butler, PA 16001.

This proposed facility is located in City of Butler, **Butler County**.

Description of Proposed Action/Activity: Permit to install approx. 1,100 LF of sanitary sewer line along Jefferson Street leading to a new siphon structure crossing Sullivan Run.

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                 | <i>County</i> | <i>Municipality</i> | <i>Receiving Water / Use</i> | <i>DEP Protocol (Y/N)</i> |
|-------------------------|---|---------------|---------------------|------------------------------|---------------------------|
| PAG138317               | Greene Township<br>9333 Tate Road<br>Erie, PA 16509 | Erie          | Greene Township     | Fourmile Creek               | Y                         |

**VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>                        | <i>Receiving Water / Use</i>            |
|-------------------------|--|---------------|--|---|
| PAI01<br>1513009        | French Creek Acquisition, LP<br>3815 West Chester Pike<br>Newtown Square, PA 19073         | Chester       | Phoenixville Borough                       | French Creek TSF-MF                     |
| PAI01<br>1513010        | TC Atwater Land, LP<br>300 Conshohocken State Road,<br>Suite 250<br>Conshohocken, PA 19428 | Chester       | East Whiteland and<br>Tredyffrin Townships | Valley Creek EV-MF                      |
| PAI01<br>1513012        | Stoltzfus Enterprises, Inc.<br>23 East Main Street<br>Elverson, PA 19520                   | Chester       | East Nantmeal<br>Township                  | South Branch of French<br>Creek EV-MF   |
| PAI01<br>15082038-R     | Toll PA VI, L.P.<br>250 Gibraltar Road<br>Horsham, PA 19044                                | Chester       | Willistown Township                        | Tradus Run and<br>Serpentine Run HQ-TSF |

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i>  | <i>Receiving Water / Use</i>  |
|-------------------------|---|---------------|--|---|
| PAI023912025            | PPL Electric Utilities<br>2 North Ninth Street, GENN-3<br>Allentown, PA 18101                   | Lehigh        | Lower Macungie Twp.<br>Upper Macungie Twp.<br>Lower Milford Twp.<br>Upper Milford Twp. | Cedar Creek,<br>HQ-CWF, MF;<br>Little Lehigh Creek,<br>HQ-CWF, MF;<br>Swabia Creek,<br>HQ-CWF, MF;<br>Unnamed Tributary to<br>Little Lehigh Creek,<br>HQ-CWF, MF;<br>Leibert Creek,<br>HQ-CWF, MF;<br>Hosensack Creek,<br>CWF, MF |
| PAS10N029R(2)           | First Industrial Acquisition, Inc.<br>2601 Market Place, Suite 450<br>Harrisburg, PA 17110      | Lackawanna    | Covington Township   | Lake Run<br>(HQ-CWF, MF)<br>Tamarack Creek<br>(EV, MF)  |
| PAI024513009            | FR Option Property Holding, LP<br>2601 Market Place, Suite 450<br>Harrisburg, PA 17110          |               |  |   |
|                         | Bestway of Pennsylvania, Inc.<br>3870 State Route 191 / 390<br>P.O. Box 309<br>Cresco, PA 18326 | Monroe        | Barrett Township   | Cranberry Creek<br>(HQ-CWF, MF)   |

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone 717.705.4802.*

| <i>Permit #</i> | <i>Applicant Name &amp; Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water / Use</i> |
|-----------------|-------------------------------------|---------------|---------------------|------------------------------|
| PAI030713001    | Pennsylvania Electric<br>Company    | Blair         | Frankstown Township | New Creek (HQ/CWF)           |

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>  | <i>Receiving Water / Use</i> |
|-------------------------|--|---------------|----------------------|------------------------------|
| PAI050213003            | Greenville Commercial<br>Properties<br>One Atlantic Avenue<br>Pittsburgh, PA 15202<br>&<br>McKees Rocks Borough<br>340 Bell Avenue<br>McKees Rocks, PA 15136 | Allegheny     | McKees Rocks Borough | Ohio River (WWF-N)           |

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                                 | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>  |
|-------------------------|---|---------------|---------------------|---|
| PAI050412002            | Chippewa Township<br>2811 Darlington Road<br>Beaver Falls, PA 15010 | Beaver        | Chippewa Township   | North Fork Little<br>Beaver Creek (HQ-CWF)<br>and Wallace Run (WWF) |

## VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### List of NPDES and/or Other General Permit Types

|             |   |
|-------------|---|
| PAG-1       | General Permit for Discharges From Stripper Oil Well Facilities   |
| PAG-2       | General Permit for Discharges of Stormwater Associated With Construction Activities   |
| PAG-3       | General Permit for Discharges of Stormwater From Industrial Activities  |
| PAG-4       | General Permit for Discharges From Small Flow Treatment Facilities  |
| PAG-5       | General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems   |
| PAG-6       | General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)  |
| PAG-7       | General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application  |
| PAG-8       | General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site |
| PAG-8 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage   |
| PAG-9       | General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site   |
| PAG-9 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage   |
| PAG-10      | General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines  |
| PAG-11      | (To Be Announced)   |
| PAG-12      | Concentrated Animal Feeding Operations (CAFOs)  |
| PAG-13      | Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)   |
| PAG-14      | (To Be Announced)   |
| PAG-15      | General Permit for Discharges From the Application of Pesticides  |

#### General Permit Type—PAG-02

##### Facility Location:

| <i>Municipality &amp; County</i>         | <i>Permit No.</i>       | <i>Applicant Name &amp; Address</i>   | <i>Receiving Water/Use</i>                   | <i>Contact Office &amp; Phone No.</i>   |
|--|-------------------------|---|--|---|
| Haycock Township<br>Bucks County         | PAG0200<br>0906070-R(1) | Robert Cope<br>472 Old Bethlehem Pike<br>Quakertown, PA 18951                                 | Tohickon Creek TSF                           | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Hilltown Township<br>Bucks County        | PAG0200<br>0904097-R    | Toll XV, LP<br>250 Gibraltar Road<br>Horsham, PA 19044  | North Branch of<br>Neshaminy Creek<br>TSF-MF | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Warrington Township<br>Bucks County      | PAG0200<br>0913022      | 308 (Three) Easton<br>Road LP<br>2544 Bristol Pike<br>Warrington, PA 18976                    | Little Neshaminy<br>Creek WWF-MF             | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| West Sadsbury Township<br>Chester County | PAG0200<br>1513018      | Victory Brewing Company<br>420 Acorn Lane<br>Downingtown, PA 19335                            | Valley Creek TSF                             | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| London Grove Township<br>Chester County  | PAG0200<br>1512034      | Three Groves Eco Village<br>Development, L.P.<br>105 Schwenk Road<br>Perkiomenville, PA 18074 | Middle Branch<br>White Clay Creek<br>TSF     | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i>    | <i>Applicant Name &amp;<br/>Address</i>   | <i>Receiving<br/>Water/Use</i>       | <i>Contact Office &amp;<br/>Phone No.</i>   |
|---|----------------------|---|--------------------------------------|---|
| Chester City<br>Delaware County                             | PAG0200<br>2313011   | Bottom Dollar Food<br>Northeast, LLC c/o<br>Soloff Realty &<br>Development, Inc.<br>One Presidential Blvd,<br>Suite 202<br>Bala Cynwyd, PA 19004      | Chester Creek<br>WWF-MF              | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Brookhaven<br>Borough<br>Delaware County                    | PAG0200<br>2313013   | Penn Delco School<br>District c/o Brian Datte<br>3000 Dutton Mill Road<br>Aston, PA 19014   | Chester Creek<br>TSF-MF              | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Upper Providence<br>Township<br>Delaware County             | PAG0200<br>2308011R  | Pennsylvania Department<br>of Transportation<br>District 6-0,<br>c/o Charles H. Davies<br>7000 Geerdes Boulevard<br>King of Prussia, PA<br>19406-1525 | Tributary to<br>Crum Creek WWF       | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Bethel Township<br>Delaware Township                        | PAG0200<br>2313003   | Saude Development, L.P.<br>c/o Donald J. Weiss<br>6 Hilloch Lane<br>Chadds Ford, PA<br>19317-9704   | Green Creek<br>CWF-MF                | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Upper Providence<br>Township<br>Montgomery County           | PAG0200<br>4608061R  | Greg Gettinger<br>100 Cider Mill Road<br>Oaks, PA 19456   | Perkiomen Creek<br>WWF-MF            | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Upper Dublin<br>Township<br>Montgomery County               | PAG0200<br>4613024   | Paul Leonard<br>801 Loch Alsh Avenue<br>Fort Washington, PA<br>19034  | Wissahickon Creek<br>TSF-MF          | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Lower Merion<br>Township<br>Montgomery County               | PAG0200<br>4612037   | William Cunningham<br>1325 Club House Road<br>Gladwyne, PA 19035  | Arrowmink Creek<br>WWF-MF            | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Plymouth Township<br>Montgomery County                      | PAG0200<br>4612077   | Anthony Ziccardi<br>250 Gibraltar Road<br>Horsham, PA 19044   | Plymouth Creek<br>WWF                | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Upper Gwynedd<br>Township<br>Montgomery County              | PAG0200<br>4613034   | Robert C Bender/<br>Joseph E. Murphy<br>200 W. Walnut Street<br>PO Box 1391<br>North Wales, PA 19454  | Wissahickon Creek<br>TSF             | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Upper Merion<br>Township<br>Montgomery County               | PAG0200<br>4608002R1 | Gary Graham, P.E.<br>700 S. Eisenhower<br>Boulevard<br>Middletown, PA 17057   | Unnamed Tributary<br>to Frog Run WWF | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Lower Saucon<br>Township<br>Northampton<br>County           | PAG02004812021       | Louis Pektor<br>Ashley Development<br>Corporation<br>559 Main Street,<br>Suite 300<br>Bethlehem, PA 18018   | UNT to Saucon<br>Creek (CWF, MF)     | Northampton County<br>Conservation District<br>610-746-1971                             |
| Tunkhannock<br>Township<br>Wyoming County                   | PAG02006613001       | Williams Field<br>Services, LLC<br>51 Warren Street<br>Tunkhannock, PA 18657  | UNT to Swale Brook<br>CWF, MF        | Wyoming County<br>Conservation District<br>570-836-2589                                 |



*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

|   |                 |  |   |   |
|---|-----------------|--|---|---|
| Ontelaunee Township, Berks County                           | PAG02000611002R | John Smith<br>Forino Co., LP<br>555 Mountain Home Road<br>Sinking Spring, PA 19608                 | UNT to Schuylkill River (WWF)             | Berks County Conservation Dist.<br>1238 County Welfare Rd, Ste 200<br>Leesport, PA 19533-9710<br>610.372.4657, Ext. 142 |
| Cumru Township, Berks County                                | PAG02000603013R | Walter Greth<br>Greth Development Group<br>235 Snyder Road<br>Reading, PA 19605                    | Angelica Creek (CWF)                      | Berks County Conservation Dist.<br>1238 County Welfare Rd, Ste 200<br>Leesport, PA 19533-9710<br>610.372.4657, Ext. 142 |
| Penn Township, Berks County                                 | PAG02000612039  | Andrew Merrick<br>CMTS Ministries<br>321 Focht Road<br>Bernville, PA 19506                         | UNT to Irish & Northkill Creeks (WWF/CWF) | Berks County Conservation Dist.<br>1238 County Welfare Rd, Ste 200<br>Leesport, PA 19533-9710<br>610.372.4657, Ext. 142 |
| City of Altoona, Blair County                               | PAG02000711006  | Altoona Water Authority<br>900 Chestnut Street<br>Altoona, PA 16601                                | Brush Run (WWF)                           | Blair Co Conservation District<br>1407 Blair St<br>Hollidaysburg, PA 16648<br>814.696.0877                              |
| Martinsburg Borough & North Woodbury Township, Blair County | PAG02000711007  | Morrison's Cove Home<br>429 South Market Street<br>Martinsburg, PA 16662                           | UNT to Plum Creek (WWF)                   | Blair Co Conservation District<br>1407 Blair St<br>Hollidaysburg, PA 16648<br>814.696.0877                              |
| Hampden Township, Cumberland County                         | PAG02002103023R | Fast Partners<br>Lewis Applebaum<br>77 Kelly Drive<br>Carlisle, PA 17013                           | Conodoguinet Creek (WWF)                  | Cumberland Co Conservation Dist.<br>310 Allen Road, Suite 301<br>Carlisle, PA 17013<br>717.240.7812                     |
| Silver Spring Township, Cumberland County                   | PAG02002113023  | Grace Community of the Susquehanna<br>Roger Webb<br>210 Greenwich Drive<br>Mechanicsburg, PA 17050 | Trindle Spring Run (CWF)                  | Cumberland Co Conservation Dist.<br>310 Allen Road, Suite 301<br>Carlisle, PA 17013<br>717.240.7812                     |
| Upper Mifflin Township, Cumberland County                   | PAG02002113012  | Todd Chestnut<br>910 Bridgewater Road<br>Newville, PA 17241  | UNT to Three Square Hollow Run (WWF)      | Cumberland Co Conservation Dist.<br>310 Allen Road, Suite 301<br>Carlisle, PA 17013<br>717.240.7812                     |
| Upper Mifflin Township, Cumberland County                   | PAG02002113014  | Lester Funk<br>30 Myers Road<br>Newville, PA 17241   | Brandy Run (CWF)                          | Cumberland Co Conservation Dist.<br>310 Allen Road, Suite 301<br>Carlisle, PA 17013<br>717.240.7812                     |
| East Hempfield Township, Lancaster County                   | PAG02003611038R | Millfield Construction Co.<br>2130 Marietta Pike<br>Lancaster, PA 17603                            | Millers Run (CWF)                         | Lancaster Co Conservation Dist.<br>1383 Arcadia Road, Room 200<br>Lancaster, PA 17601<br>717.299.5361, Ext. 5           |
| West Cocalico Township, Lancaster County                    | PAG02003611044R | Hurst Brothers Development Co.<br>154 Farmersville Road<br>Ephrata, PA 17522                       | Cocalico Creek (WWF)                      | Lancaster Co Conservation Dist.<br>1383 Arcadia Road, Room 200<br>Lancaster, PA 17601<br>717.299.5361, Ext. 5           |

*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*East Lampeter  
Township,  
Lancaster County

PAG02003613020

SACK LLC  
233 Cliff Lane  
Elizabethtown, PA 17022UNT to Mill Creek  
(WWF; MF)Lancaster Co  
Conservation Dist.  
1383 Arcadia Road,  
Room 200  
Lancaster, PA 17601  
717.299.5361, Ext. 5Rapho Township,  
Lancaster County

PAG02003613024

John L. Wenger  
354 North Strickler Road  
Manheim, PA 17545UNT to Back Run  
(TSF)Lancaster Co  
Conservation Dist.  
1383 Arcadia Road,  
Room 200  
Lancaster, PA 17601  
717.299.5361, Ext. 5East Lampeter  
Township,  
Lancaster County

PAG02003613020

SACK LLC  
233 Cliff Lane  
Elizabethtown, PA 17022UNT to Mill Creek  
(WWF; MF)Lancaster Co  
Conservation Dist.  
1383 Arcadia Road,  
Room 200  
Lancaster, PA 17601  
717.299.5361, Ext. 5Rapho Township,  
Lancaster County

PAG02003613024

John L. Wenger  
354 North Strickler Road  
Manheim, PA 17545UNT to Back Run  
(TSF)Lancaster Co  
Conservation Dist.  
1383 Arcadia Road,  
Room 200  
Lancaster, PA 17601  
717.299.5361, Ext. 5Columbia Borough,  
Lancaster County

PAG02003613025

River View Place  
Associates  
361 Locust Street  
Columbia, PA 17512Shawnee Run &  
Susquehanna River  
(WWF; MF)Lancaster Co  
Conservation Dist.  
1383 Arcadia Road,  
Room 200  
Lancaster, PA 17601  
717.299.5361, Ext. 5Jackson Township,  
York County

PAG02006707088R

Cynthia & Steven  
Yingling  
4464 Glenville Road  
Glen Rock, PA 17327Gun Powder Falls  
(WWF)York Co.  
Conservation District  
118 Pleasant Acres Rd  
York, PA 17402-8984  
717.840.7430York Township,  
York County

PAG02006712039

Kenneth R. Stoltzfus  
761 Valley Drive  
Dallastown, PA 17313

Mill Creek (WWF)

York Co.  
Conservation District  
118 Pleasant Acres Rd  
York, PA 17402-8984  
717.840.7430*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Bald Eagle  
Township  
Clinton County

PAG02001808002R(1)

Keystone Central SD  
Barry Hackenberg  
64 Keystone Dr  
Mill Hall PA 17751UNT to Bald  
Eagle Creek CWFClinton County  
Conservation District  
45 Cooperation Lane  
Mill Hall, PA 17751  
(570) 726-3798Buffalo Township  
Union County

PAG02006013005

Shawn McGlaughlin  
446 Walnut St  
Mifflinburg PA 17844UNT to Buffalo  
Creek CWFUnion County  
Conservation District  
Union County  
Government Center  
155 N 15th St  
Lewisburg PA 17837  
(570) 524-3860

*Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Facility Location:*

| <i>Municipality &amp; County</i>                                 | <i>Permit No.</i> | <i>Applicant Name and Address</i>   | <i>Receiving Water / Use</i>  | <i>Contact Office and Phone No.</i>  |
|--|-------------------|---|---|--|
| South Fayette Township<br>Allegheny County                       | PAG02000211023-1  | Berkley Ridge POL<br>1350 Old Pond Road<br>Bridgeville, PA 15017  | UNT to Millers Run (WWF)  | Allegheny County CD<br>Lexington Technology Park<br>Building 1, Suite 102<br>400 North Lexington Ave<br>Pittsburgh, PA 15208<br>(412) 241-7645 |
| Franklin Park Borough<br>McCandless Township<br>Allegheny County | PAG02000213048    | McCandless Township<br>Sanitary Authority<br>418 Arcadia Drive<br>Pittsburgh, PA 15237                        | Lowries Run (TSF)   | Allegheny County CD<br>Lexington Technology Park<br>Building 1, Suite 102<br>400 North Lexington Ave<br>Pittsburgh, PA 15208<br>(412) 241-7645 |
| City of Pittsburgh<br>Allegheny County                           | PAG02000213027    | Bedner Estates<br>300 Weyman Plaza<br>Suite 210<br>Pittsburgh, PA 15236                                       | Painters Run (WWF),<br>McLaughlin Run (WWF)                         | Allegheny County CD<br>Lexington Technology Park<br>Building 1, Suite 102<br>400 North Lexington Ave<br>Pittsburgh, PA 15208<br>(412) 241-7645 |
| Findlay Township<br>Allegheny County                             | PAG02000213038    | Allegheny County<br>Airport Authority<br>PIA- Landide Terminal<br>4th Floor Mezzanine<br>Pittsburgh, PA 15231 | Montour Run (TSF),<br>Raredon Run (WWF),<br>Potato Garden Run (WWF) | Allegheny County CD<br>Lexington Technology park<br>Building 1, Suite 102<br>400 North Lexington Ave<br>Pittsburgh, PA 15208<br>(412) 241-7645 |
| City of Pittsburgh<br>Allegheny County                           | PAG02000213005-1  | 5500 Walnut Street<br>Pittsburgh, PA 15232  | UNT to Allegheny River (WWF)  | Allegheny County CD<br>Lexington Technology Park<br>Building 1, Suite 102<br>400 North Lexington Ave<br>Pittsburgh, PA 15208<br>(412) 241-7645 |
| Kennedy Township<br>Allegheny County                             | PAG02000213041    | Ohio Valley<br>General Hospital<br>25 Heckel Road<br>McKees Rocks, PA 15136                                   | UNT to Ohio River (WWF)   | Allegheny County CD<br>Lexington Technology Park<br>Building 1, Suite 102<br>400 North Lexington Ave<br>Pittsburgh, PA 15208<br>(412) 241-7645 |
| North Union Township<br>Fayette County                           | PAG02002613003    | Edeson Realty, LLC<br>1209 Connellsville Rd<br>Lemont Furnace, PA 15456                                       | Cove Run (WWF)  | Fayette County CD<br>10 Nickman Plaza<br>Lemont Furnace, PA 15456<br>(427) 438-4497  |
| North Union Township<br>Fayette County                           | PAG020002612028   | Hopwood Development<br>Associates<br>PO Box 859<br>Hopwood, PA 15445  | UNT to Redstone Creek (WWF)   | Fayette County CD<br>10 Nickman Plaza<br>Lemont Furnace, PA 15456<br>(427) 438-4497  |
| Center Township<br>Indiana County                                | PAG02003211011-2  | Homer City Services, LP<br>1750 Power Plant Rd<br>Homer City, PA 15478  | UNTs to Two Lick Creek (CWF) and<br>Cherry Run (CWF)                | Indiana County CD<br>625 Kolter Drive<br>Suite 8<br>Indiana, PA 15701<br>(724) 471-4751  |
| Blacklick Township<br>Indiana County                             | PAG02003213007    | NonLethal<br>Technologies, Inc.<br>9419 Rt. 286 Hwy W<br>Homer City, PA 15748                                 | Aultmans Run (TSF)  | Indiana County CD<br>625 Kolter Drive<br>Suite 8<br>Indiana, PA 15701<br>(724) 471-4751  |
| Peters Township<br>Washington County                             | PAG02006308003R   | Siteview Land, LLC.<br>122 Cedar Lane<br>McMurray, PA 15317   | Peters Creek (TSF)  | Washington County CD<br>2800 North Main Street<br>Suite 105<br>Washington, PA 15601  |

*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Penn Township  
Butler County

PAG02001013011

RES Water—Butler LLC  
215 Hicks Road  
Renfrew PA 16053Connoquenessing  
Creek CWFButler County  
Conservation District  
724-284-5270*General Permit Type—PAG-3**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Dauphin County /  
Harrisburg City

PAR803515

Dayton Parts, LLC  
1300 North Cameron  
Street  
Harrisburg, PA  
17103-1010Paxton Creek /  
WWF & MFDEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707Bedford County /  
Snake Spring  
Township

PAR213549

New Enterprise Stone &  
Lime Co., Inc.—  
Bedford Construction  
Supply Center  
PO Box 77  
New Enterprise, PA 16664UNT Raystown  
Branch Juniata  
River / WWF & MFDEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707York County /  
Hanover Borough

PAR203555

Penn-Mar Castings, Inc.  
500 Broadway  
Hanover, PA 17331Oil Creek /  
WWF & MFDEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707Lincoln Boro  
Allegheny Cnty

PAR606116

Sims Metal E, LLC  
1 Linden Ave E  
Jersey City, NJ 07302

Wylie Run

Southwest Regional Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
412-442-4000Everson Boro  
Fayette Cnty

PAR236137

Magnablend, Inc.  
12 Feed Mill Rd  
Everson, PA 15631UNT to Jacobs  
CreekSouthwest Regional Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
412-442-4000Ligonier Twp  
Westmoreland Cnty

PAR116142

Ramsey Garage &  
Excavating  
1392 Darlington Rd  
Ligonier, PA 15658

Ohio River

Southwest Regional Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
412-442-4000Industry Boro  
Beaver Cnty

PAR806294

CS Trucking, LLC  
366 Travelers Rd  
E Freedom, PA 16637

Sixmile Run

Southwest Regional Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
412-442-4000New Sewickley Twp  
Beaver Cnty

PAR606171

Crow's Run Auto  
Recycling, Inc.  
320 Crow's Run Rd  
Freedom, PA 15042

Crow's Run

Southwest Regional Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
412-442-4000



*General Permit Type—PAG-5**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*

Coopersburg  
Borough  
Lehigh County

PAG052227

Shell Oil Products, U.S.  
(Motiva Enterprises,  
LLC Site)  
P.O. Box 1087  
Huffman, TX 77336

Unnamed Tributary  
to Saucon Creek—  
2-C

DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511

*General Permit Type—PAG-9**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Site Name &  
Location**Contact Office &  
Phone No.*

Washington  
Township,  
Lycoming County.

PAG09 4840

James Foresman  
PO Box 101  
Allenwood, PA 17801

Foresman Process  
Facility.  
Washington  
Township,  
Lycoming County

NCRO  
570-327-0526

*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*

York County /  
Heidelberg &  
Penn Townships

PAG103558

Columbia Gas  
Transmission LLC—  
Line 1655  
Replacement #2  
1700 Maccorkle  
Avenue S E  
Charlestown WV 25314

Oil Creek /  
7H / WWF

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

*General Permit Type—PAG-12**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*

Lancaster County /  
East Donegal  
Township

PAG123749

Kenton L. Sweigart  
620 Greider Road  
Mount Joy, PA 17552

UNT Donegal  
Creek / CWF

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Adams County /  
Tyrone Township

PAG123764

Hillandale Gettysburg,  
LP—Hillandale Layer  
Site 1 Farm  
370 Spicer Road  
Gettysburg, PA 17325

UNT Conewago  
Creek / WWF

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Adams County /  
Tyrone Township

PAG123762

Hillandale Gettysburg,  
LP—Hillandale Layer  
Site 3 Farm  
370 Spicer Road  
Gettysburg, PA 17325

Plum Creek / WWF

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Adams County /  
Tyrone Township

PAG123763

Hillandale Gettysburg,  
LP—Hillandale  
Gettysburg  
Site 2 & 5  
370 Spicer Road  
Gettysburg, PA 17325

UNT Conewago  
Creek / WWF

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Adams County /  
Reading Township

PAG123760

Hillandale Gettysburg,  
LP—Hillandale 94 Farm  
370 Spicer Road  
Gettysburg, PA 17325

UNT Markel Run /  
WWF

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Franklin County /  
Guilford Township

PAG123765

Joshua Martin Farm  
167 Overcash Road  
Chambersburg, PA 17202

UNT Conococheague  
Creek / WWF

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

York County /  
Codorus Township

PAG123761

Hillandale Gettysburg,  
LP—Bailey Farms  
370 Spicer Road  
Gettysburg, PA 17325

Codorus Creek /  
WWF

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3664.*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Sullivan Township  
Tioga County

PAG124846

Country View Family  
Farms, LLC  
1301 Fulling Mill Road  
Middletown, PA 17057

Unnamed Tributary  
to Corey Creek—4-A

DEP Northcentral  
Regional Office  
Clean Water Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3664

*General Permit Type—PAG-13*

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Ridley Park  
Borough  
Delaware County

PAG130086

Ridley Park Borough  
Delaware County  
105 E Ward Street  
Ridley Park, PA 19078

Little Crum Creek  
and Stony Creek—  
3-G

DEP Southeast  
Regional Office  
Clean Water Program  
2 E Main Street,  
Norristown, PA 19401  
484.250.5970

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Duboistown  
Borough  
Lycoming County

PAG134807

Duboistown Borough  
2651 Euclid Avenue  
Duboisstown, PA 17702

Mosquito Creek /  
CWF, MF

DEP Northcentral  
Regional Office  
Clean Water Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3664

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*NPDES  
Permit No.*

*Applicant Name &  
Address*

*County*

*Municipality*

*Receiving  
Water / Use*

*DEP  
Protocol  
(Y/N)*

PAG136339  
Waiver

Washington Twp  
1390 Fayette Ave Belle  
Vernon, PA 15012

Fayette

Washington Twp

Downers Run

N

PAG136231  
Waiver

Lower Tyrone Twp  
456 Banning Rd  
Dawson, PA 15428

Fayette

Lower Tyrone Twp

Youghiogheny River &  
Hickman Run

N

PAG136193  
Waiver

N Irwin Boro  
21 Second St  
N Irwin, PA 15642

Westmoreland

N Irwin Boro

Brush Creek & Coal  
Run

N

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                 | <i>County</i> | <i>Municipality</i> | <i>Receiving Water / Use</i> | <i>DEP Protocol (Y/N)</i> |
|-------------------------|---|---------------|---------------------|------------------------------|---------------------------|
| PAG136206 Waiver        | Amwell Twp<br>885 Amity Ridge Rd<br>Amity, PA 15311 | Washington    | Amwell Twp          | UNT to Scott Run             | N                         |

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                                  | <i>County</i> | <i>Municipality</i> | <i>Receiving Water / Use</i>   | <i>DEP Protocol (Y/N)</i> |
|-------------------------|--|---------------|---------------------|--|---------------------------|
| PAG138321               | City of Erie<br>626 State Street,<br>Room 400<br>Erie, PA 16501-1128 | Erie County   | City of Erie        | Mill Creek, Garrison Run, Motch Run, McDaniel Run, Unnamed Tributary to Lake Erie, Cascade Creek and West Branch Cascade Creek, Lake Erie, Presque Isle Bay 15-A | Y                         |

## STATE CONSERVATION COMMISSION

### NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

### NUTRIENT MANAGEMENT PLAN PUBLIC NOTICE SPREADSHEET—ACTIONS

| <i>Agricultural Operation Name and Address</i>   | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Approved or Disapproved</i> |
|--|---------------|--------------------|--------------------------------|--------------------|---|--------------------------------|
| Wayne A. Marcho Farms, RD#1 Union Hill Road, Susquehanna, PA 18847                                     | Susquehanna   | 409                | 816.08                         | Veal/Beef          | N/A   | Approval                       |
| A & L Farms<br>Linford Snyder<br>3304 Mountain Road<br>Hamburg, PA 17046                               | Berks         | 160.4              | 415.6                          | Layers             | NA  | Approved                       |
| A Wayne Rudolph<br>2019 Grace Avenue<br>Lebanon, PA 17046  | Lebanon       | 100.2              | 136.41                         | Poultry            | NA  | Approved                       |
| Heidelberg Pig Family Fun<br>Marlin & Richard Martin<br>425 North Market Street<br>Myerstown, PA 17067 | Lebanon       | 0                  | 465.3                          | Swine              | NA  | Disapproved                    |

## PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act

*Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**Operations Permit # 1513511** issued to: **Valley Township 890 West Lincoln Highway**, [(PWSID)] Valley Township **Chester County** on July 12, 2013 for the operation of Hillview Interconnection with Pennsylvania American Water Company.

**Operations Permit # 0913509** issued to: **Borough of Quakertown 35 North Third Street**, P.O. Box 72, Quakertown, PA 18951 [(PWSID)] Richland Township, **Bucks County** on July 3, 2013 for the operation of Well # 9 facilities approved under construction permit # 0908511

**Operations Permit # 0913510** issued to: **Warwick Township Water & Sewer Authority**, 1733 Township Greene, P.O. Box 315, Jamison, PA 18929 [(PWSID)] Warwick Township, **Bucks County** on July 3, 2013 for the operation of North Wales Authority Interconnection facilities approved under construction permit # 0912507.

**Permit No. 1513505, Minor Amendment.** Public Water Supply.

|           |   |
|-----------|---|
| Applicant | <b>Camp Hill Village USA, Inc.</b><br>1601 Pughtown Road<br>Kimberton, PA 19442 |
| Township  | West Vincent  |

|  |   |
|--|---|
| County   | <b>Chester</b>  |
| Type of Facility   | PWS   |
| Consulting Engineer  | Cawley Environmental Services, Inc.<br>637 Jeffers Circle<br>Exton, PA 19341                    |
| Permit to Construct Issued   | July 3, 2013  |
| <b>Permit No. 0913508, Minor Amendment.</b> Public Water Supply.   |   |
| Applicant  | <b>Township of Falls Authority</b><br>557 Lincoln Highway<br>Fairless Hills, PA 19030           |
| Township   | Falls   |
| County   | <b>Bucks</b>  |
| Type of Facility   | PWS   |
| Consulting Engineer  | Remington, Vernick, & Beach Engineers<br>922 Fayette Street<br>Conshohocken, PA 19428           |
| Permit to Operate Issued   | July 12, 2013   |
| <i>Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110</i> |   |
| <b>Permit No. 0613507 MA, Minor Amendment,</b> Public Water Supply.  |   |
| Applicant  | <b>Aqua Pennsylvania, Inc.</b>  |
| Municipality   | Centre Township   |
| County   | <b>Berks</b>  |
| Responsible Official   | Marc A. Lucca,<br>Vice President—Production<br>762 West Lancaster Avenue<br>Bryn Mawr, PA 19010 |
| Type of Facility   | Installation of 32,000 gallon clearwell.  |
| Consulting Engineer  | Jill L. Marie, P.E. HDR<br>1016 W. 9th Avenue<br>King of Prussia, PA 19406                      |
| Permit to Construct Issued:  | 7/1/2013  |
| <b>Permit No. 3613503,</b> Public Water Supply.  |   |
| Applicant  | <b>Goodie Barn</b>  |
| Municipality   | Manor Township  |
| County   | <b>Lancaster</b>  |
| Responsible Official   | Amos S Funk, Owner<br>65 Penn Street<br>Washington Borough, PA 17582                            |
| Type of Facility   | Installation of anion exchange for nitrate treatment.   |
| Consulting Engineer  | Terrace L Kline, P.E.<br>Kline Engineering PC<br>449 Cameron Street<br>Marysville, PA 17053     |
| Permit to Construct Issued:  | 7/12/2013   |



**Permit No. 6713510 MA, Minor Amendment, Public Water Supply.**

|                                |   |
|--------------------------------|---|
| Applicant                      | <b>The Borough of Hanover</b>   |
| Municipality                   | Conewago Township   |
| County                         | <b>York</b>   |
| Responsible Official           | Barbara Krebs,<br>Borough Manager<br>44 Frederick Street<br>Hanover, PA 17331 |
| Type of Facility               | Installation of bulk water<br>loading station on O'Brien Lane                 |
| Consulting Engineer            | Not Available   |
| Permit to Construct<br>Issued: | 7/12/2013   |

**Permit No. 0713508 MA, Minor Amendment, Public Water Supply.**

|                                |   |
|--------------------------------|---|
| Applicant                      | <b>Vail Water Association, LLC</b>  |
| Municipality                   | Tyrone Borough  |
| County                         | <b>Blair</b>  |
| Responsible Official           | Todd E Templeton, President<br>623 Jesse Spring Drive<br>Tyrone, PA 16686   |
| Type of Facility               | Installation of flow paced<br>chemical injection equipment<br>and level controls in the finished<br>water storage tank to increase<br>chlorine contact time to meet<br>4-Log Treatment of Viruses for<br>GWR. |
| Consulting Engineer            | Anthony J Coval, P.E.<br>Lee-Simpson Associates, Inc.<br>PO Box 504<br>DuBois, PA 15801   |
| Permit to Construct<br>Issued: | 7/1/2013  |

**Operations Permit** issued to: **Mapleton Municipal Water Authority**, 4310015, Union Township, **Huntingdon County** on 7/12/2013 for the operation of facilities submitted under Application No. 3113503 MA.

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Operation Permit** issued to **Mr. Mark Colussi d/b/a Pebble Beach Campground**, PWSID #6250898, Springfield Township, **Erie County**. Permit Number 2512508 issued July 1, 2013 for the operation of the Pebble Beach Campground water treatment upgrades. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on June 20, 2013.

**Operation Permit** issued to **Mr. Louie Sedmak d/b/a Crestview Mobile Home**, PWSID #6200033, Vernon Township, **Crawford County**. Permit Number 2089508-T3-MA1 issued July 1, 2013 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Mr. Steven Pfaff and Mrs. Joyce Pfaff d/b/a Pinedale Mobile Home Park**, PWSID #6200076, East Fallowfield Township, **Crawford County**. Permit Number 2007502-MA1 issued July 1, 2013 for the operation of 4-Log treatment of viruses for

Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Permit No. 3712505 Public Water Supply**

|                               |  |
|-------------------------------|--|
| Applicant                     | <b>Brent Community Cooperative Water Association, Inc.</b>   |
| Township or Borough           | Plain Grove Township   |
| County                        | <b>Lawrence</b>  |
| Type of Facility              | Public Water Supply  |
| Consulting Engineer           | Steven R. Halmi, P.E.<br>Deiss & Halmi Engineering, Inc.<br>105 Meadville Street<br>Edinboro, PA 16412 |
| Permit to Construct<br>Issued | July 3, 2013   |

**Operation Permit** issued to **Farma Parks, Inc.**, PWSID #6430070, Perry Township, **Mercer County**. Permit Number 4390504-MA1 issued July 3, 2013 for the operation of 4-Log treatment of viruses for Entry Points 101 and 102. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Sunnydale Subdivision Water Association**, PWSID #6250074, Fairview Township, **Erie County**. Permit Number 2512505 issued July 3, 2013 for the operation of the Sunnydale Subdivision upgrades at the pumphouse. This permit is issued in response to Department inspection on June 18, 2013 and resolution of the deficiencies as outlined in a letter dated June 28, 2013.

**Operation Permit** issued to **Mr. William Olczak and Mrs. Denise Olczak d/b/a Edinboro Mobile Home Village**, PWSID #6250019, Washington Township, **Erie County**. Permit Number 2590504-MA1 issued July 3, 2013 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **LaBruzzo Woodlands LLC**, PWSID #6200063, West Mead Township, **Crawford County**. Permit Number 2087503-MA1 issued July 3, 2013 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Operations Permit** issued to **Clermont Water Association, Inc.**, PWSID No. 6420006, Sergeant Township, **McKean County**. Permit No. 4211504 issued July 10, 2013 for the operation of the Clermont Public Water Supply. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on May 6, 2013.

**Operations Permit** issued to **Mr. John S. Mennor d/b/a Coyleville Court Mobile Home Park**, PWSID No. 5100036, Clearfield Township, **Butler County**. Permit No. 1088503-MA1 issued July 8, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Operations Permit** issued to **Mr. Dennis Riley d/b/a Penn Lake Village Mobile Home Park**, PWSID No. 6200013, Sadsbury Township, **Crawford County**. Permit No. 2088505-T1-MA2 issued July 8, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

## WATER ALLOCATIONS

**Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631–641) relating to the acquisition of rights to divert waters of the Commonwealth.**

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**WA 18-400E, Water Allocations. Suburban Lock Haven Water Authority, 326 Main Street, Mill Hall, PA 17751, Borough of Mill Hall, Clinton County.** This Water Allocation Permit grants Suburban Lock Haven Water Authority the right to purchase 1.40 million gallons per day, based on a 30-day average, from the City of Lock Haven. The allocation granted takes into account reasonable projections of future use that can be supported by past data or documentation. The allocation granted also reflects a reduction in unaccounted for water loss to 20% (excluding bulk sales), which must be achieved within five years of the date of this permit (July 5, 2013).

## SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

*Plan Location:* on the northeast corner of the intersection of Cornwall Road and Rocherty Road.

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|------------------------------------|---------------|
| North Cornwall Township    | 320 S 18th St, Lebanon, PA 17042   | Lebanon       |

*Plan Description:* The approved plan, entitled North Cornwall Commons Phase 1/1A, DEP Code No. A3-38916-124-3, provides for 160 townhouses, one hotel, two restaurants, three commercial buildings and a community building, with total sewage flows of 58,400 gallons per day using sewer service provided by the North Cornwall Township Authority, and treatment provided by the City of Lebanon Wastewater Treatment Plant. The project also includes an upgrade of a section of the existing downstream sanitary sewer main to provide sufficient conveyance capacity. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101–6026.907).**

Provisions of Sections 301–308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301–6026.308) require the Department to

publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Former BP Terminal 4574, 901 Mountain Home Road, Sinking Spring, PA 19608, Sinking Spring Borough, Berks County.** Antea Group, 780 East Market Street, Suite 120, West Chester, PA 19382, on behalf of Atlantic Richfield Company, A BP Products North America Inc. Affiliated Company, 501 West Lake Park Boulevard, WL1-28, 160B, Houston, TX 77079 and Reading Terminals Corporation, PO Box 2621, Harrisburg, PA 17105, submitted a Final Report concerning remediation of site soils and groundwater contaminated with petroleum hydrocarbons. The Report is intended to document remediation of the site to meet the Site Specific Standard.

**Rutherford Intermodal Transfer Facility, 5050 Paxton Street, Harrisburg, PA 17111, Swatara Township, Dauphin County.** Cardno MM&A, 535 Industrial Road, Blue Field, VA 24605, on behalf of Norfolk Southern Railway Company, 1200 Peachtree Street, NE—Box 13, Atlanta, GA 30309 has submitted a Final Report concerning remediation of site groundwater contaminated with light non-aqueous phase liquid (LNAPL). The report is intended to document remediation of the site to meet the Site Specific Standard.

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Crawford Transporters, Inc., Tanker roll-over, Mile Marker 104.6WB Interstate Route 80, Union Township, Clearfield County.** Taylor GeoServices, Inc., 38 Bishop

Hollow Road, Newtown Square, Pa 19073, on behalf of Mr. Ralph Crawford, Crawford Transporters, Inc., 4695 State Route 66, Apollo, Pa 15613, submitted a Final Report concerning remediation of site soils contaminated with Diesel Fuel/Gasoline (transmix). The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Crawford Transporters, Inc.**, Tanker roll-over, Mile Marker 104.6W, Interstate Route 80, Union Township, **Clearfield County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newton Square, Pa 19073 on behalf of Mr. Ralph Crawford, Crawford Transporters, Inc., 4695 State Route 66, Apollo, PA 15613, submitted a Final Report concerning the remediation of site soils contaminated with Diesel Fuel/Gasoline (transmix). The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on July 10, 2013.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**#1 Cochran Automotive**—2723, 2725, 2737, 2747, 2756, 2766, 2772 & 2809 West Liberty Avenue, Dormont Borough, **Allegheny County**. Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, Pa 17111 on behalf of Cochran South Hills, Inc., 4520 William Penn Highway, Monroeville, PA 15146 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with gasoline constituents. Notice was published in the *Pittsburgh Post-Gazette* on June 28 2013.

**Derry Porcelain Park**, West Third Street, Derry Borough, **Westmoreland County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120-5005 on behalf of Redevelopment Authority of the County of Westmoreland has submitted a Clean Up Plan and Final Report concerning the remediation of site soil and groundwater contaminated with VOCs, PAH and metals associated with past industrial use of the site. Notice of submittal of the Clean Up Plan and Final Report was published in the *Latrobe Bulletin* on April 8 2013.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of

sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Rutledge Unit 1H**, Powder Mill Run Road, Forward Township, **Butler County**. Hull & Associates, Inc., 300 Business Center Drive, Suite 320, Pittsburgh, PA 15205, on behalf of XTO Energy—Appalachia Division, 395 Airport Road, Indiana, PA 15701, submitted a Final Report concerning the remediation of site soils contaminated with Acetone, 2-Butanone, Di-n-propylnitrosamine, 2-Methyl-4,6-dinitrophenol, Naphthalene, 1,2,4-Trimethylbenzene, 2,4-Dinitrotoluene, Toluene, and m-Nitroaniline. The Final Report demonstrated attainment of the Statewide Health standard and was approved by the Department on July 11, 2013.

**Ruan Transportation Diesel Spill March 18, 2013**, SR 219 North Ramp Foster Brook Exit, Foster Township, **McKean County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Ruan Transportation Corporation, 666 Grand Avenue, 3100 Ruan Center, Des Moines, IA 50309, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Ethylbenzene, Toluene, Cumene, MTBE, 1,2,4-Trimethyl Benzene, 1,3,5-Trimethyl Benzene, and Naphthalene. The Final Report demonstrated attainment of the Statewide Health standard and was approved by the Department on July 9, 2013.



## HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

### Draft permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401*

**PAD096844311. Action Manufacturing Company,** 500 Baileys Crossroads Road, Atglen PA 19310. Draft permit prepared for the RCRA Part B permit application for a 25 Pa. Code Chapter 264a, Subpart X, Miscellaneous Treatment Unit at the Action Manufacturing Company facility located in West Fallowfield Township, **Chester County**. The miscellaneous treatment unit will safely destroy energetic and pyrotechnic waste generated on site by Action's manufacturing processes. Public comment period ends 45 days after date of this publication. Draft permit and fact sheet available at the Southeast Regional Office. Written comments may be sent to the Southeast Regional Office at the address noted. Draft permit was issued on June 14, 2013.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

### Permit(s) issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.*

**Permit ID No. 301071. MAX Environmental Technologies, Inc.,** 1815 Washington Road, Pittsburgh, PA 15241-1498. MAX Environmental Technologies, Inc., Yukon Facility, 233 MAX Lane, Yukon, PA 15698. This major modification authorizes revisions to the radiation protection plan at the MAX Environmental Technologies, Inc. Yukon Residual Waste Disposal Facility located in South Huntingdon Township, **Westmoreland County**. The permit was issued by the Southwest Regional Office on July 15, 2013.

### Permits deemed administratively complete under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal area or Site.

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200*

**Permit No. 100009 Lancaster County Solid Waste Management Authority (LCSWMA Transfer Station)** 1299 Harrisburg Pike, Lancaster, PA. The application submitted is to renew the permit for the LCSWMA Transfer Station, which expires April 12, 2014. The application was deemed administratively complete by the Southcentral Regional Office on July 12, 2013. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Manage-

ment Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Person interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

### Permits renewed Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit Application No. 100346. FR&S, Inc.** (Pioneer Crossing Landfill) 727 Red Lane Road, Birdsboro, PA 19508 located in Exeter Township, **Berks County**. Permit renewal for Solid Waste Permit No. 100346 for the operation of the Pioneer Crossing Landfill, issued on March 13, 2013 in accordance with Article V of the Solid Waste Management Act, 35 P.S. Sections 6018.101, et seq. This permit expires December 17, 2023.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

## AIR QUALITY

### General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**GP14-23-0126: McCausland-Garrity Marchesani Funeral Home, Inc.** (343 South Chester Pike, Glenolden, PA 19036) on July 15, 2013, was authorized to operate a diesel fuel-fired internal combustion engine(s) in Upper Dublin, **Montgomery County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**GP3-39-003: TMT Gravel & Contracting Inc.** (1609 Pennsylvania Avenue, Pine City, NY 14871) on July 12, 2013, to construct and operate a Portable Crushing Operation with watersprays at their West Hills Business Center Site in Weisenberg Township, **Lehigh County**.

**GP9-39-003: TMT Gravel & Contracting Inc.** (1609 Pennsylvania Avenue, Pine City, NY 14871) on July 12, 2013, to install and operate a Diesel I/C engines at their West Hills Business Center Site in Weisenberg Township, **Lehigh County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**GP2-06-05068C: Petroleum Products Corp.—Reading Terminals Corp.** (PO Box 2621, Harrisburg, PA



17105-2621) on July 8, 2013, for a new internal floating roof fuel storage tank under GP2, at the Sinking Spring Terminal in Sinking Spring Borough, **Berks County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**GP3-41-716: Insinger Excavating, Inc.** (3046 Dushore-Overton Road, Dushore, PA 18613) on July 9, 2013, to construct and operate a 2006 vintage Terex Pegson model XR400 portable crushing plant, a 2008 vintage Terex Pegson model 4242SR Trackpactor portable crushing plant, a 2008 vintage Terex Pegson model XR400 portable crushing plant, a 2005 vintage Terex Pegson 1412 Trackpactor portable crushing plant, a 2010 vintage Terex Pegson model XR400S portable crushing plant, a 2010 vintage Terex Pegson model XR400 portable crushing plant, a 2011 vintage Terex Pegson model XH500 portable crushing plant, a 2011 vintage Terex Pegson model XA750 portable crushing plant, a 2005 vintage Terex Pegson model 428 portable crushing plant, a 2012 Terex Pegson model 1300 Maxtrax portable crushing plant, a 2011 Terex Pegson model XA400 portable crushing plant, a 2005 vintage Terex Powerscreen Chieftain 1800 portable screening plant, a 2008 vintage Terex Powerscreen Warrior 1800 portable screening plant, a 2010 vintage Terex Powerscreen Chieftain 1700 portable screening plant, a 2010 vintage Terex Powerscreen Chieftain 2100 portable screening plant, a 2011 vintage Terex Powerscreen Warrior 2400 portable screening plant and four 2010 vintage telestacker conveyors pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their site in McNett Township, **Lycoming County**.

**GP9-41-716: Insinger Excavating, Inc.** (3046 Dushore-Overton Road, Dushore, PA 18613) on July 9, 2013, to construct and operate a 2006 vintage 275 brake-horsepower Caterpillar model C9 MBD01473 diesel engine, a 2008 vintage 325 brake-horsepower Caterpillar model C9 MBD06764 diesel engine, a 2008 vintage 275 brake-horsepower Caterpillar model C9 MBD07813 diesel engine, a 2005 vintage 425 brake-horsepower Caterpillar model C12 BDL03204 diesel engine, a 2010 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2010 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2011 vintage 440 brake-horsepower Caterpillar model C13 JSC13181 diesel engine, a 2011 vintage 440 brake-horsepower Caterpillar model C13 JSC13181 diesel engine, a 2005 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2012 450 brake-horsepower Scania model DC13 diesel engine, a 2011 275 brake-horsepower Scania model DC9 diesel engine, a 2005 vintage 96 brake-horsepower Deutz model BF4M2012 diesel engine, a 2008 vintage 111 brake-horsepower Caterpillar model C4.4 TA diesel engine, a 2006 vintage 96 brake-horsepower Deutz model BF4M2012 diesel engine, a 2010 vintage 111 brake-horsepower Caterpillar model C4.4 diesel engine, a 2011 vintage 192 brake-horsepower Deutz model BF4M2012 diesel engine and a 2009 vintage 40 brake-horsepower Deutz model D2011L03i diesel engine pursuant to the General Plan Approval And/Or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at their site in McNett Township, **Lycoming County**.

**GP5-41-651B: PVR Marcellus Gas Gathering, LLC** (101 West Third Street, Williamsport, PA 17701) on July

9, 2013, for authorization to construct and operate a 25 MMSCF/day dehydration units pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at their Bobst Mountain Compressor Station in Cogan House Township, **Lycoming County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**GP3-26-00597B: Bullsken Stone & Lime, LLC** (P.O. Box 528, Latrobe, PA 15650) on July 10, 2013, received authorization for construction and operation of sources and controls associated with a portable non-metallic mineral processing plant at the Bullsken No. 1 Mine located in Bullsken Township, **Fayette County**.

**GP9-26-00597B: Bullsken Stone & Lime, LLC** (P.O. Box 528, Latrobe, PA 15650) on July 10, 2013, received authorization for construction and operation of a diesel or No. 2 fuel-fired internal combustion engine associated with a portable non-metallic mineral processing plant at the Bullsken No. 1 Mine located in Bullsken Township, **Fayette County**.

**GP3-63-00952A: 221 LNC**, (P.O. Box 277, Southwest, PA 15685) on July 12, 2013, to allow change of ownership to Green Global Machine, LLC and operation of previously installed one (1) portable LT-105 Metso/Nordberg Impact Crusher rated at 300 tph, one (1) portable 2400 Chiefton Screen rated at 300 tph, three (3) Conveyors each rated at 250 tph, and three (3) Conveyors attached to Screen at their Portable Non-Metallic Mineral Crushing Plant located Buffalo Township, **Indiana County**, PA.

**GP9-63-00952A: 221 LNC Site**, (P.O. Box 277, Southwest, PA 15685) on July 12, 2013, to allow change of ownership to Green Global Machine, LLC and operation of previously installed One (1) C9 DITA Caterpillar diesel engine, Model # CL-JO544 rated at 300 bhp and One (1) Deutz diesel engine, Model # BF6M2012C, rated at 208 bhp at their Portable Non-Metallic Mineral Crushing Plant located Buffalo Township, **Indiana County**, PA.

**GP5-04-00732B: Utica Gas Services, LLC** (P.O. Box 54342, Oklahoma City, OK 73154) on July 16, 2013, for the change of ownership and renaming of the Beaver Creek CDP (formerly Thompson Dehydration Facility) located in South Beaver Township, **Beaver County** and allow the continued operation of a15 MMscfd triethylene glycol (TEG) dehydrator with associated reboiler.

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**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**05-05006C: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue, S.E., Charleston, WV 25314) on July 9, 2013, for restart of a natural gas-fired combustion turbine (Source ID 035) at their Artemas Compressor Station in Mann Township, **Bedford County**.

**06-05115: Granger Energy of Morgantown, LLC** (16980 Wood Road, Lansing, MI 48906-1044) on July 11, 2013, to install two (2) 2,233 bHP (1,600 kW) Caterpillar G3520C landfill gas fired engines, two (2) additional compressors and one (1) 2,000 acfm LFG Specialties EF945110 enclosed flare in in Caernarvon Township, **Berks County**. The flare will prevent raw LFG from being vented to the outside should any or all engines cease to operate. Additionally, the configuration of the incoming pipeline will be modified to allow for the direct feed from the first stage of compression within the Granger Energy of Morgantown plant and from the common pipeline.

**36-05015E: Dart Container Corp. of PA** (60 East Main Street, Leola, PA 17540), on July 11, 2013, to construct an Oriented Polystyrene (OPS) oven at their Leola facility in Upper Leacock Township, **Lancaster County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**49-00001M: Mt. Carmel Cogen, Inc.** (P.O. Box 409, Marion Heights Road, Marion Heights, PA 17832) on July 10, 2013, to establish performance or emission standards for the 8.4 million Btu per hour Stone Johnson natural gas, propane-fired boiler at the Electric Cogeneration Facility in Mt. Carmel Township, **Northumberland County**. The Department has incorporated the major source boiler MACT requirements as codified in 40 CFR Part 63 Subpart DDDDD.

**53-00005M: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301) on July 11, 2013, to establish performance or emission standards for the boilers and process heaters at their Greenlick Compressor Station in Stewardson Township, **Potter County**. The Department has incorporated the major source boiler MACT requirements as codified in 40 CFR Part 63 Subpart DDDDD applicable to the boilers and process heaters at the facility.

**53-00006M: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301) on July 11, 2013, to establish performance or emission standards for the boilers and process heaters at the Ellisburg Compressor Station located in Genesee Township, **Potter County**. The Department has incorporated the major source boiler MACT requirements as codified in 40 CFR Part 63 Subpart DDDDD applicable to the boilers and process heaters at the facility.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**63-00968A: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on July 11, 2013, to allow the installation and initial temporary operation of eight new rich burn natural gas-fired compressor engines rated at 1,980 bhp each and controlled by three-way catalysts, and the increased throughput of a currently authorized dehydrator up to 130 MMscf/day at the Smith Compressor Station located in Smith Township, **Washington County**. A total of ten natural gas-fired compressor engines will be authorized for installation and temporary operation at this site.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**07-03055A: Advanced Metals Processing—PA LLC** (129 South Sparks Street, Suite 1, State College, PA 16801-3913) on July 9, 2013, for a nonferrous metal delacquering oven at their facility in Hollidaysburg Borough, **Blair County**. The plan approval was extended.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**03-00027B: GenOn Northeast Management Co.** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on July 10, 2013, to extend the period of temporary operation of the Units No. 1 and 2 flue gas desulfurization systems and emergency generator covered under plan approval 03-00027B, until January 13, 2014, at the Keystone Generating Station located in Plumcreek Township, **Armstrong County**. The plan approval has been extended.

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**Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**67-05004: PH Glatfelter Co.** (228 South Main Street, Spring Grove, PA 17362-1000) on July 12, 2013, for their integrated kraft pulp and paper mill in Spring Grove Borough, **York County**. The Title V permit was renewed.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**18-00003: PPL Martins Creek, LLC** (Two North Ninth Street, Allentown, PA 18101-1197) on July 8, 2013, issued a renewal Title V Operating Permit for their facility in Bald Eagle Township, **Clinton County**. The facility's main sources include one (1) diesel fuel oil-fired combustion turbine and one (1) 100,000 gallon diesel fuel oil above ground storage tank. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00003: PPL Martins Creek, LLC** (Two North Ninth Street, Allentown, PA 18101-1197) on July 10, 2013, issued a renewal Title V Operating Permit for their facility in the City of Williamsport, **Lycoming County**. The facility's main sources include two (2) diesel fuel oil-fired combustion turbines and one (1) 100,000 gallon diesel fuel oil above ground storage tank. The Title V



operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00240: JBS Souderton, Inc.** (249 Allentown Rd, Souderton, PA 18964) on July 15, 2013, for an animal slaughtering, meat processing and meat packing plant, synthetic minor facility in Franconia Township, **Montgomery County**. This action is a renewal of the facility's State Only Operating Permit originally issued on May 22, 2007. The renewal does not allow any new changes other than updating of source inventory and changes of minor significance. The operation is subjected to federal NESHAPS and NSPS regulations. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**09-00048: H & K Materials, Inc.** (300 Skunk Hollow Road, Chalfont, PA 18914) on July 15, 2013, for renewal of a State Only, Synthetic Minor Operating Permit in Hilltown Township, **Bucks County**. H & K Materials operates an Asphalt Plant at this site. There are no changes to any conditions or emissions in the renewal of the operating permit. The facility maintains a synthetic minor operating status by maintaining total NO<sub>x</sub> emissions to less than 12.40 tons per year. The renewed permit includes testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and federal air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**21-03051A: New Enterprise Stone & Lime Co., Inc.—dba Valley Quarries, Inc.** (133 Sandbank Road, Shippensburg, PA 17257-9678) on July 8, 2013, for the Sandbank Quarry operation at their Mt. Cydonia III Plant in Southampton Township, **Cumberland County**. The State-only permit was renewed.

**22-03036: Alfa Laval, Inc.** (300 Chestnut Street, Lykens, PA 17048-1446) on July 10, 2013, for their heat exchanger manufacturing and rebuild facility in Lykens Borough, **Dauphin County**. The State-only permit was renewed.

**67-05096: Blockhouse, Inc.** (3285 Farmtrail Road, York, PA 17406-5602) on July 9, 2013, for their wood furniture manufacturing facility in Manchester Township, **York County**. The State-only permit was renewed.

**36-05129: Haines & Kibblehouse, Inc.** (2052 Lucon Road, PO Box 196, Skippack, PA 19474) on June 28, 2013, for the batch asphalt plant operation at the Silver Hill Quarry in Brecknock Township, **Lancaster County**. The State-only permit was renewed.

**67-03004: Maple Press Co.** (480 Willow Springs Lane, PO Box 2695, York, PA 17405) on July 11, 2013, for their book printing facility in Manchester Township, **York County**. The State-only permit was renewed.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**59-00006: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301) on July 8, 2013, for their Boom Compressor Station in Lawrence Township, **Tioga County**. The operating permit renewal includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

**12-00009: American Sintered Technologies** (513 East Second Street, Emporium, Pa 15834) on July 10, 2013, for their facility in Emporium Borough, **Cameron County**. The operating permit renewal includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

**41-00074: Webb Communications** (1 Maynard Street, Williamsport, Pa 17701) on July 10, 2013, for their facility in Williamsport, **Lycoming County**. The operating permit renewal includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**23-00041: MIPC, LLC** (920 Cherry Tree Road, Aston, PA 19014) on July 15, 2013, for the major (Title V) facility in Upper Chichester Township, **Delaware County**. The Operating Permit was administratively amended to incorporate the conditions of General Permit GP2-23-0229 for a reactivated volatile organics storage tank. With this opening of the Operating Permit, the requirements of 40 CFR Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE), applicable to an emergency generator engine, and 40 CFR Part 63 Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, applicable to an office heater at the facility, are incorporated.

**46-00262: Penn Color, Inc.** (2755 Bergey Road, Hatfield, PA 19440) on July 15, 2013, for operation of a Pre-mix Disperser (PMDD4) in the Pigment Dispersion Manufacturing Building II (Wet Building II) at the Penn Color facility in Hatfield Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. Facility wide criteria pollutant emissions are

restricted to less than the major facility thresholds; therefore, the facility is classified as a Synthetic Minor facility. Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Administrative Amendment incorporates terms and conditions of Plan Approval No. 46-0262C, which allows for the installation of a Pre-mix Disperser (PMDD4) (Source ID 123); Particulate Matter (PM) emissions from new unit are controlled by an existing dust collector (Source ID C209); Volatile Organic Compound (VOC) emissions are controlled by the existing regenerative thermal oxidizer (Source ID C03). The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**67-05083: Calpine Mid Merit LLC** (500 Delaware Avenue, Suite 600, Wilmington DE 19801-7406) on July 9, 2013, for the combined cycle natural gas-fired turbine facility known as the York Energy Center in Peach Bottom Township, **York County**. The Title V permit was administratively amended to reflect changes in responsible official and facility contact information.

**36-03132: Ira G Steffy & Son, Inc.** (1780 Newport Road, Ephrata, PA 17522-8762) on July 8, 2013, for the structural steel surface coating operation in West Earl Township, **Lancaster County**. The State-only permit was administratively amended to reflect a change of ownership.

**67-03132: Voith Hydro, Inc.** (PO Box 712, York, PA 17405-0712) on July 9, 2013, for the hydro-electric turbine equipment manufacturing and refurbishing facility in West Manchester Township, **York County**. The State-only permit was administratively amended to incorporate the provisions of Plan Approval No. 67-03132B.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**60-00020: Pik Rite, Inc.** (60 Pik Rite Lane, Lewisburg, PA 17837-6840) on July 10, 2013, issued an amendment of a state only operating permit for their facility in Buffalo Township, **Union County**. This operating permit amendment incorporates all terms and conditions specified in Plan Approval 60-00020A.

#### **Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**GP-1-09-0097: Archdiocese of Philadelphia** (655 York Road, Warminster, PA 18974) on July 3, 2013, for revocation of their General Operating Permit/Plan Approval for two (2) Hurst, Series 400, dual fuel-fired

(natural gas and No. 2 fuel oil) boilers at Archbishop Wood Catholic High School in Warminster Twp., **Bucks County**. The general operating permit and plan approval was revoked because the units have been physically, permanently modified to restrict the fuel flow and have been exempted from plan approval and operating permit requirements as combustion units with a rated capacity of less than 10 million Btus per hour.

## **ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a).** The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

### *Coal Permits Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**03951601 and NPDES No. PA0002275. Keystone Coal Mining Corporation**, (PO Box 219, 400 Overview Drive, Shelcta, PA 15774). To renew the permit for the Keystone Cleaning Plant in Plumcreek Township, **Armstrong County** and related NPDES permit. No additional discharges. The application was considered administratively complete on October 15, 2010. Application received August 13, 2010. Permit issued July 10, 2013.

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**03080102 and NPDES Permit No. PA0251399. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Renewal permit for reclamation only issued to an existing bituminous surface mine, located in East Franklin Township, **Armstrong County**, affecting 112.3 acres. Receiving streams: unnamed tributaries to Allegheny River. Application received: April 15, 2013. Permit issued: July 11, 2013.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**GFCC No. 14-12-01, Waroquier Coal Company**, Contrary Operation, Snow Shoe Township, **Centre County** (Contrary Run to Sandy Run to Beech Creek to Bald Eagle Creek—Upper West Branch Susquehanna Watershed): A construction contract has been awarded to Waroquier Coal Company that will result in the reclamation of approximately 3.1 acres of abandoned mine land including the removal of approximately 20,000 tons of



refuse covering 1.2 acres. The site will be reclaimed and regraded to approximate original contour. Alkaline addition will be added to the reclamation area at a rate of 150 tons per acre. A total of at least 465 tons of alkaline material will be placed on the site. The estimated value of the reclamation work is \$50,000.00 which will be done at no cost to the Commonwealth. The site is located on PA Game Commission property approximately three miles north of the village of Clarence on lands formerly mined and subsequently abandoned by Joe Padisak Coal Company in the late 1950's. Blasting and refuse reprocessing are prohibited.

**17110112 and NPDES No. PA0257851. Waroquier Coal Co.** (P.O. Box 128, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine located in Lawrence Township, **Clearfield County** affecting 26.0 acres. Receiving stream(s): Unnamed Tributary to Lick Run classified for the following use(s): High Quality and Unnamed Tributaries to West Branch Susquehanna River classified for the following use(s) Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 18, 2011. Permit issued: July 9, 2013.

**17900143 and NPDES No. PA0206458. Rob Holland Enterprises** (52 Holland Lane, Curwensville, PA 16833). Transfer of an existing bituminous surface mine from Waroquier Coal Company located in Penn and Brady Townships, **Clearfield County** affecting 342.5 acres. Receiving stream(s): Irish Run and an Unnamed Tributary to Irish Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 27, 2012. Permit issued: July 8, 2013.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**49860102R4. Farragut Anthracite Company**, (122 Wilburton Road, Mt. Carmel, PA 17851), renewal of an existing anthracite surface mine, coal refuse reprocess, refuse disposal and preparation plant operation in Coal and Zerbe Townships, **Northumberland County** affecting 814.6 acres, receiving stream: Shamokin Creek Watershed. Application received: September 22, 2011. Renewal issued: July 3, 2013.

**49860102GP104. Farragut Anthracite Company**, (122 Wilburton Road, Mt. Carmel, PA 17851), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49860102 in Coal and Zerbe Townships, **Northumberland County**, receiving stream: Shamokin Creek Watershed. Application received: June 5, 2013. Permit issued: July 3, 2013.

#### *Noncoal Permits Actions*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**08040301. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, Suite 203, State College, PA 16803-1649). Revisions to an existing large industrial mineral permit to add 2.6 acres and 08111002GP-104 renamed 08040301GP-104 located in Canton Township, **Bradford County** affecting 21.6 acres. Receiving stream(s): Unnamed Tributary to Towanda Creek and Towanda Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 15, 2013. Permit issued: July 8, 2013.

**08120301 and NPDES PA0257885. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, Suite 203, State

College, PA 16803-1649). Commencement, operation and restoration of a large industrial mineral (limestone and shale) surface mine located in Burlington Borough and Burlington Township, **Bradford County** affecting 41.6 acres. Receiving stream(s): Sugar Creek classified for the following use(s): Warm Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 5, 2012. Permit issued: July 5, 2013.

**53020802. Hyde Stone Quarry, Inc.** (2924 Eleven Mile Road, Shinglehouse, PA 16748). Final bond release for a small industrial minerals surface mine, located in Oswayo Township, **Potter County**. Restoration of 1.0 acre completed. Receiving stream(s): Eleven Mile Creek. Application received: May 23, 2013. Final bond release approved: July 15, 2013.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**8074SM3T and NPDES Permit No. PA0118443. Harleysville Materials, LLC**, (PO Box 587, Berlin, NJ 08009), transfer of an existing quarry operation in Lower Salford Township, **Montgomery County** affecting 43.38 acres, receiving stream: East Branch Perkiomen Creek. Application received: January 11, 2013. Transfer issued: July 11, 2013.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

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#### *Blasting Permits Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**13134131. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Farmdale Elementary School in West Hempfield Township, **Lancaster County** with an expiration date of July 3, 2014. Permit issued: July 9, 2013.

**06134106. J Roy's, Inc.**, (P.O. Box 125, Bowmansville, PA 17507), construction blasting for a single dwelling on Pleasant Drive in Amity Township, **Berks County** with an expiration date of July 6, 2014. Permit issued: July 12, 2013.

**36134132. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Earl Hoover dwelling in West Earl Township, **Lancaster County** with an expiration date of August 30, 2013. Permit issued: July 12, 2013.

**67134107. M & J Explosives, Inc.**, (P.O. Box 608, Carlisle, PA 17013), construction blasting for High Point South in West Manheim Township, **York County** with an expiration date of July 2, 2014. Permit issued: July 12, 2013.

**67134108. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Chick Fil A in Springettsbury Township, **York County** with an expiration date of July 10, 2014. Permit issued: July 12, 2013.

### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

#### *Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

| <i>Parameter</i>                 | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i>        | <i>Instantaneous<br/>Maximum</i> |
|----------------------------------|---------------------------|---------------------------------|----------------------------------|
| Iron (Total)                     | 3.0 mg/l                  | 6.0 mg/l                        | 7.0 mg/l                         |
| Manganese (Total)                | 2.0 mg/l                  | 4.0 mg/l                        | 5.0 mg/l                         |
| Suspended solids                 | 35 mg/l                   | 70 mg/l                         | 90 mg/l                          |
| pH*                              |                           | greater than 6.0; less than 9.0 |                                  |
| Alkalinity greater than acidity* |                           |                                 |                                  |

\* The parameter is applicable at all times.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

#### *Effluent Limits for Noncoal Mining Activities*

The BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapter 77 are as follows:

| <i>Parameter</i>              | <i>30-day<br/>Average</i> | <i>Daily<br/>Maximum</i>        | <i>Instantaneous<br/>Maximum</i> |
|-------------------------------|---------------------------|---------------------------------|----------------------------------|
| Suspended solids              | 35 mg/l                   | 70 mg/l                         | 90 mg/l                          |
| Alkalinity exceeding acidity* |                           |                                 |                                  |
| pH*                           |                           | greater than 6.0; less than 9.0 |                                  |

\* The parameter is applicable at all times.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding

the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public

hearing in the final determination on the NPDES permit application.

*Coal NPDES Draft Permits*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**NPDES No. PA0268933 (Mining permit no. 56120201), Robindale Energy Services, Inc.**, 224 Grange Hall Road, Armagh, PA 15920, new NPDES permit for Coal Refuse Reprocessing in Conemaugh Township, **Somerset County**, affecting 65.0 acres. Receiving streams: Stonycreek River, unnamed tributary to/and Kaugman Run, classified for the following uses: warm water fishery (Stonycreek River) and cold water fishery. The receiving streams are included in the Kiski-Conemaugh TMDL. Application received: January 25, 2012.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to Stonycreek River.

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 001                 | Y                        |
| 002                 | Y                        |
| 003                 | Y                        |
| 004                 | Y                        |
| 005                 | Y                        |

The proposed effluent limits for the above listed outfall(s) are as follows:

| <i>Outfalls: 001, 002, 003, 004, 005</i>                           | <i>30-Day</i>  | <i>Daily</i>   | <i>Instant.</i> |
|--|----------------|----------------|-----------------|
| <i>Parameter</i>   | <i>Average</i> | <i>Maximum</i> | <i>Maximum</i>  |
| Iron (mg/l)  | 1.5            | 3.0            | 3.7             |
| Manganese (mg/l)   | 1.0            | 2.0            | 2.5             |
| Aluminum (mg/l)  | 0.75           | 1.5            | 1.8             |
| Total Suspended Solids (mg/l)                                      | 35.0           | 70.0           | 90.0            |
| Osmotic Pressure (milliosmoles/kg)                                 | Monitor Only   |                |                 |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times |                |                |                 |
| Alkalinity must exceed acidity at all times                        |                |                |                 |

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 PA Code Chapter 87.201, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Chapter 87.102(a) Group A, whichever is least stringent.

**NPDES No. PA02627731 (Mining permit no. 32090101), Britt Energies**, P.O. Box 515 Indiana, PA 15701, renewal of an NPDES permit for surface mining in Conemaugh Township, **Indiana County**, affecting 43.7 acres. Receiving stream: Sulfur Run, classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: February 1, 2013.

The outfall(s) listed below discharge to Sulfur Run:

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 001                 | N                        |
| 002                 | N                        |
| 003                 | N                        |
| 004                 | N                        |

The proposed effluent limits for the above listed outfall(s) are as follows:

| <i>Outfalls: 001 and 002 (Sediment Ponds)</i>                      | <i>30-Day</i>  | <i>Daily</i>   | <i>Instant.</i> |
|--|----------------|----------------|-----------------|
| <i>Parameter</i>   | <i>Average</i> | <i>Maximum</i> | <i>Maximum</i>  |
| Iron (mg/l)  | 3.0            | 6.0            | 7.0             |
| Manganese (mg/l)   | 2.0            | 4.0            | 5.0             |
| Aluminum (mg/l)  | 2.0            | 4.0            | 5.0             |
| Total Suspended Solids (mg/l)                                      | 35.0           | 60.0           | 75.0            |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times |                |                |                 |
| Alkalinity must exceed acidity at all times                        |                |                |                 |

*Outfalls: 003 and 004 (Treatment Ponds)*  
*Parameter*

|  | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l)  | 3.0                       | 6.0                      | 7.0                         |
| Manganese (mg/l)   | 2.0                       | 4.0                      | 5.0                         |
| Aluminum (mg/l)  | 2.0                       | 4.0                      | 5.0                         |
| Total Suspended Solids (mg/l)                                      | 35.0                      | 60.0                     | 75.0                        |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times |                           |                          |                             |
| Alkalinity must exceed acidity at all times                        |                           |                          |                             |

**NPDES No. PA0269085 (Mining permit no. 11120202), Maple Coal Company**, 254 Interpower Drive, Colver, PA 15927, new NPDES permit for Coal Refuse Reprocessing in Barr and Blacklick Townships, **Cambria County**, affecting 48.0 acres. Receiving streams: unnamed tributaries to/and Elk Creek, classified for the following uses: cold water fisheries. The receiving streams are included in the Kiski-Conemaugh TMDL. Application received: May 31, 2012.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to Stonycreek River

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 002                 | Y                        |

The proposed effluent limits for the above listed outfall(s) are as follows:

| <i>Outfalls: 002</i><br><i>Parameter</i>                           | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l)  | 3.0                       | 6.0                      | 7.0                         |
| Manganese (mg/l)   | 2.0                       | 4.0                      | 5.0                         |
| Aluminum (mg/l)  | 2.0                       | 4.0                      | 5.0                         |
| Total Suspended Solids (mg/l)                                      | 35.0                      | 70.0                     | 90.0                        |
| Osmotic Pressure (milliosmoles/kg)                                 | 50.0                      | 50.0                     | 50.0                        |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times |                           |                          |                             |
| Alkalinity must exceed acidity at all times                        |                           |                          |                             |

The stormwater outfall listed below discharge to Elk Creek.

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 001                 | Y                        |

The proposed effluent limits for the above listed outfall is as follows:

| <i>Outfalls: 001</i><br><i>Parameter</i>                           | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l)  | 3.0                       | 6.0                      | 7.0                         |
| Manganese (mg/l)   | 2.0                       | 4.0                      | 5.0                         |
| Aluminum (mg/l)  | 2.0                       | 4.0                      | 5.0                         |
| Total Suspended Solids (mg/l)                                      | 35.0                      | 70.0                     | 90.0                        |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times |                           |                          |                             |
| Alkalinity must exceed acidity at all times                        |                           |                          |                             |

*Noncoal NPDES Draft Permits*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**NPDES No. PA 0220248 (Mining Permit No. 1474301). Graymont (PA) Inc.**, 965 East College Avenue, State College, PA 16823, proposed revision to a renewal of an NPDES permit for large (surface/deep) noncoal operation in Spring Township, **Centre County**, affecting 1110.3 acres. Receiving stream(s): Logan Branch (Spring Creek) classified for the following use(s): Cold Water Fishes. Application received: April 16, 2011.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for noncoal mining activities.

The outfall(s) listed below discharge to Logan Branch:

| <i>Outfall No.</i>          | <i>New Outfall (Y/N)</i> |
|-----------------------------|--------------------------|
| 010-B Logan Branch pipeline | N                        |

The proposed effluent limits\* for the above listed outfall(s) are as follows:

| <i>Parameter</i>       | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| pH <sup>1</sup> (S.U.) | 6.0            |                           |                          | 9.0                         |
| Iron (mg/l)            |                | 1.5                       | 3.0                      | 3.75                        |



| <i>Parameter</i>   | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|----------------|---------------------------|--------------------------|-----------------------------|
| Manganese (mg/l)   |                | 1.0                       | 2.0                      | 2.5                         |
| Total Suspended Solids (mg/l)  |                | 35                        | 70                       | 90                          |
| *As measured at pipeline monitoring port located between the holding tank near the Whiterock sinkhole and the final pipeline discharge |                |                           |                          |                             |

| <i>Parameter</i>   | <i>Period</i>   | <i>Measurement<br/>Frequency</i>                                | <i>Instant.<br/>Maximum</i> |
|--------------------|-----------------|---|-----------------------------|
| Temperature (°F)** | June 1-15       | Once per hour when<br>discharging at outfall<br>at Logan Branch | 60°                         |
|                    | June 16-30      | "   | 64°                         |
|                    | July 1-31       | "   | 66°                         |
|                    | August 1-30     | "   | 66°                         |
|                    | September 1-15  | "   | 64°                         |
|                    | September 16-30 | "   | 60°                         |

\*\* As measured once per hour by electronic meter when discharging at outfall at Logan Branch. Additionally, these waters may not result in a change by more than 2°F during a 1-hour period.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401*

**E15-838. French Creek Acquisitions, LP**, 3815 W. Chester Pike, Newtown Square, PA 19073, Phoenixville Borough, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the construction of six multistory buildings and auxiliary structures on the former Phoenix Iron and Steel Company site, now a 20.60-acre Brownfield Property (Act 2) situated within the floodway and floodplain of French Creek (WWF). Specific water obstructions and encroachment are:

1. To construct and maintain a 12-foot-wide trail and utilities within the floodway of the stream.
2. To conduct grading activities within the floodway to facilitate the finish grades for the overall project with net fill being 129 cubic yards.
3. To excavate and remove approximately 956 linear feet of sanitary sewer and relocate them outside of the floodway to facilitate the construction of three stormwater bioretention basins.
4. To construct two stormwater basins and associated outfall structures, discharging to the stream as part of the site's stormwater management system.
5. To fill three marginal, man-induced wetlands totaling 0.741 acre to facilitate the implementation of Act 2 proposed soil cap, construction of overburden buildings, parking facilities, and sidewalks on the site.

6. The fill approximately 0.14 acre of marginal, man-induced open body of waters situated in abandoned building foundations to facilitate the overall purpose of the project.

The project is located on the east side of the intersection of North Main and Vanderslice Streets (Phoenixville, PA, USGS Quadrangle N: 2.06 inches, W: 1.91 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E46-1096. Springfield Township**, 1510 Papermill Road, Wyndmoor, PA 19038, Springfield Township, **Montgomery County**, ACOE Philadelphia District.

To demolish and remove twelve single family homes in and along the 100-year floodplain of Orelan Run, as part of Federal Hazard Mitigation grant with PEMA.

The site is located in the 400 and 500 blocks of Hemlock Road (Germantown, PA USGS map, Lat. 40° 6' 42"; Long -75° 12' 20").

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E09-979. Solebury Township**, 3092 Sagan Road, P.O. Box 139, Solebury, PA 18963, Solebury Township **Bucks County**, ACOE Philadelphia District.

To demolish and remove the existing house located in and along the 100-year floodplain of the Delaware River.

The site is located at 6661 Fleecydale Road (Lumberville, PA USGS map, Lat 40° 24' 28"; Long -75° 02' 32").

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E44-146: Mifflin County Conservation District**, 20 Windmill Hill #4, Burnham, PA 17009 in Burnham Borough, **Mifflin County**, ACOE Baltimore District

To construct and maintain 951.0-foot long stream restoration including 675 feet of streambank grading and the installation and maintenance of (1) 162.0 feet of boulder bank protection; (2) 56 feet of wooden crib wall; (3) one log sill; (4) twelve habitat boulder clusters; (5) two cross rock vanes; (6) three rock vanes; and (7) five plunge pools, all for the purpose of providing streambank stabilization and improving in-stream fish habitat. The project is located near the intersection of Jaspers Drive and 1st Avenue (Burnham, PA Quadrangle, Latitude: 40°38' 11.8"N, Longitude: 77°33'42.7"W) in Burnham Borough, Mifflin County. No wetlands will be impacted by this project.

**E06-684: Berks Hollow Energy Association, Inc.**, 400 Chesterfield Center, Suite 110, Chesterfield, MO 63017 in Ontelaunee Township, **Berks County**, ACOE Philadelphia District

To 1) install and maintain a 30.0-inch diameter stormwater outfall pipe with R-5 riprap scour protection along Willow Creek (HQ-CWF, MF) (Latitude: 40° 25'

34.5", Longitude: -75° 56' 6.5"), 2) install and maintain a 12.0-inch diameter process water discharge pipe with R-5 riprap scour protection along Maiden Creek (WWF, MF) (Latitude: 40° 25' 29.2", Longitude: -75° 56' 38.3"), 3) place and maintain 0.005 acre of fill in a palustrine emergent wetland (Latitude: 40° 25' 27.8", Longitude: -75° 56' 10.8"), and 4) place and maintain 0.01 acre of fill in a palustrine emergent wetland (Latitude: 40° 25' 29.1", Longitude: -75° 56' 9") for the purpose of constructing a natural gas powered electrical generation station and associated infrastructure. The project is located East of State Route 61 (Temple Pa Quadrangle; Latitude: 40° 25' 7"; Longitude: -75° 56' 5.1") in Ontelaunee Township, Berks County. The amount of permanent wetland impact is considered a de minimus impact of 0.02 acre and wetland replacement is not required.

**E07-446: Pennsylvania Electric Company**, 2800 Pottsville Pike, PO Box 16001, Reading, PA 19612-6001 in Frankstown Township, **Blair County**, ACOE Baltimore District

To place and maintain 0.015 acre of fill within a Palustrine Emergent Wetland for the purpose of constructing electrical substation improvements to assure uninterrupted power supply. The project is located south of Turkey Valley Road (Frankstown, PA Quadrangle, Latitude: 40° 28' 1.8", Longitude: -78° 19' 32.7") in Frankstown Township, Blair County.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E41-644. Roger D. Jarrett**, 5680 State Route 405, Muncy, PA 17756-6356. Jarrett Fresh Water Withdrawal System in Muncy Creek Township, **Lycoming County**, ACOE Baltimore District (Muncy, PA Quadrangle Lat: 41° 12' 17"; Long: -77° 03' 51").

To construct and maintain a surface water withdrawal in Muncy Creek Township—Lycoming County, which is located within the floodway/floodplain of West Branch of the Susquehanna River. The proposed fresh water withdrawal system will be designed to accommodate a withdrawal volume of 2.0 million gallons per day (MGD) to be made available for bulk sale to the natural gas industry. The proposed system includes two (2) 8-inch intake pipes located a maximum of 40 feet into bottom of the river bed. The end of each intake pipe will include a screen structure that is 20 inches in diameter and 24 inches long. It will be installed so that it is approximately 6-inches above the bottom of the river bed utilizing custom made stainless steel pipe supports.

The proposed improvements will not have any effect on the floodway, which is located on West Branch, Susquehanna River and is classified as Warm Water Fishery (WWF) waterway. The construction of the proposed site and withdrawal system will result in approximately 6,800 cubic yards of exported soil volume and 2,800 cubic yards of relocated/imported fill volume. This results in a site volume reduction of approximately 4000 cubic yards of soil for the proposed construction activities located within the floodway of the West Branch of the Susquehanna River. The proposed project will not result in the construction of any permanent structures within the floodway. The pumping system and all controls are

located in a trailer with quick disconnects for control wiring and electric to allow the owner to remove the entire pumping system in the event of a storm that may cause potential flooding in the project area.

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02-364-A1. Mon River Supply**, PO Box 553, West Elizabeth, PA 15088-0553, West Elizabeth Borough, **Allegheny County**; ACOE Pittsburgh District

Applicant has been given consent to amend Permit No E02-364 issued to Mon River Supply Co. on December 7, 1983, which authorized Mon River Supply Co. to construct and maintain a retaining wall along the left bank of the Monongahela River near Mile point 22.7 in West Elizabeth Borough, Allegheny County, to:

1. Construct and maintain an approximately 220' long extension of an existing retaining wall. The new sloped retaining wall will be constructed using precast concrete blocks, and will vary in height, along its length, up to 25' high;

2. Rehabilitate, reinforce and maintain the existing retaining wall, by installing precast concrete blocks in front of the existing wall, which will also vary in height, along its length, up to 25' high;

3. Construct and maintain an approximately 320' extension of an existing access road, in front of the aforementioned, new, sloped retaining wall, which will be supported by another, approximately 6.5' high block wall;

4. Rehabilitate, reinforce and maintain the retaining wall that supports the existing length of access road, by installing an approximately 6.5' high block wall, in front of this existing wall, and

5. Place and maintain approximately 2000 cubic yards of cast-in-place concrete behind these walls and under-

neath the access road extension, for the purpose of rehabilitating an existing retaining wall, strengthening an existing crane base, and to allow for the future unloading of barges at this facility, using mobile, hydraulic, material handlers. The current project is Phase I of a two (2) phase project.

The project is located along the left bank of the Monongahela River, approximately 500.0 feet downstream from the Elizabeth Highway Bridge (Glassport, PA Quadrangle, N: 4.93 inches; W: 1.74 inches (Latitude: 40° 16' 38"; Longitude: 79° 53' 15")) in West Elizabeth Borough, Allegheny County.

#### ENVIRONMENTAL ASSESSMENTS

*Northcentral Region: Program Manager, Waterways & Wetlands Program, 208 West Third Street, Williamsport, PA 17701*

**EA12-004. Finley Run 32-33 Abandoned Mine Drainage Treatment System**, off Sterling Run Road, Emporium, PA 15834. Cameron County Conservation District passive acid mine drainage treatment system, Shippen Township, **Cameron County**, ACOE Baltimore District.

The applicant will construct a passive treatment system for the Finley Run 32 and 33 acidic discharges from previous mining operations. The system, authorized under a restoration waiver, will consist of a stream intake, three (3) vertical flow cells, one (1) oxidation/precipitation basin, one (1) surface flow polishing wetland and an outfall to the existing stream channel. The system is designed to treat the base flow of the stream and bypass most stormwater. The effluent from the polishing wetland will discharge back to the existing channel 1,225 linear feet downstream from the intake. There will be several stream and wetland impacts associated with the work:

| <i>Activity</i>          | <i>Impact Type</i> | <i>Latitude</i> | <i>Longitude</i> | <i>Resource</i>                 | <i>Impact</i> |
|--------------------------|--------------------|-----------------|------------------|---------------------------------|---------------|
| Install stream intake    | Permanent          | 41° 24' 44.1" N | 78° 15' 45.3" W  | Wetland along UNT to Finley Run | 0.003 acre    |
| Install intake pipe      | Temporary          | 41° 24' 44.1" N | 78° 15' 44.8" W  | Wetland along UNT to Finley Run | 0.050 acre    |
| Install treatment system | Permanent          | 41° 24' 47.0" N | 78° 15' 41.0" W  | Wetland along UNT to Finley Run | 0.070 acre    |
| Install treatment system | Permanent          | 41° 24' 48.8" N | 78° 15' 40.8" W  | Wetland along UNT to Finley Run | 0.005 acre    |
| Install treatment system | Permanent          | 41° 24' 48.8" N | 78° 15' 40.8" W  | Wetland along UNT to Finley Run | 0.025 acre    |
| Install stream intake    | Permanent          | 41° 24' 44.1" N | 78° 15' 45.3" W  | UNT to Finley Run               | 20 feet       |
| Install outfall          | Permanent          | 41° 24' 50.2" N | 78° 15' 37.3" W  | UNT to Finley Run               | 11 feet       |
| Dewater stream           | Permanent          | 41° 24' 44.1" N | 78° 15' 45.3" W  | UNT to Finley Run               | 1,225 feet    |



Mitigation for these impacts is a combination of the creation of a wetland in the form of a polishing surface flow wetland cell and downstream water quality improvement in the unnamed tributary to Finley Run, Finley Run and Sterling Run. Under current conditions, there is very limited aquatic life in the unnamed tributary due to acid mine drainage.

(West Creek Quadrangle; Latitude 41° 24' 45.4" N; Longitude -78° 15' 41.9" W).

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460*

**D30-079 and D30-080. Foundation Mine Freshwater Impoundment Dam and Foundation Mine Sedimentation Pond W1 Dam. Foundation Mining, LLC,** P.O. Box 1020, 158 Portal Road, Waynesburg, PA 15370. Foundation Mining, LLC, has withdrawn the Dam Permit Application to construct Foundation Freshwater Impoundment and Foundation Sedimentation Pond W1 across an unnamed tributary to Garner Run (HQ-WWF). The freshwater impoundment would have provided fresh water storage for the future Foundation Mine coal preparation process. The associated sedimentation pond would have helped to control erosion and sedimentation on site.

(Holbrook, PA Quadrangle N: 17.2 inches; W: 10.25 inches) Jackson Township, **Greene County**.

(Holbrook, PA Quadrangle N: 16.9 inches; W: 9.9 inches) Jackson Township, **Greene County**.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX12-115-0211 (01)

Applicant Name Cabot Oil & Gas Corporation

Contact Person Kenneth Marcum

Address Five Penn Center West, Suite 401

City, State, Zip Pittsburgh, PA 15276

County Susquehanna County

Township(s) Springville Township

Receiving Stream(s) and Classification(s) Meshoppen

Creek (CWF/MF) and UNTs thereto

ESCGP-1 # ESX13-115-0038 (01)

Applicant Name PVR Marcellus Gas Gathering, LLC

Contact Person Kevin Roberts

Address 101 West Third Street

City, State, Zip Williamsport, PA 17701

County Susquehanna County

Township(s) Auburn & Springville Townships

Receiving Stream(s) and Classification(s) UNT to White Creek (WWF)

ESCGP-1 # ESX13-115-0030 (2)

Applicant Name Williams Field Services Company, LLC

Contact Person Lauren Miladinovich

Address 2000 Commerce Drive

City, State, Zip Pittsburgh, PA 15275

County Susquehanna County

Township(s) Lathrop and Springville Townships

Receiving Stream(s) and Classification(s) Meshoppen and Horton Creeks (Both CWF/MF)

ESCGP-1 # ESG13-015-0038

Applicant Name Appalachia Midstream Services, LLC

Contact Person Randy DeLaune

Address 100 IST Center

City, State, Zip Horseheads, NY 14845

County Bradford County

Township(s) Wilmot Township

Receiving Stream(s) and Classification(s) UNT to Panther Lick (CWF/MF)

ESCGP-1 # ESG13-081-0036

Applicant Name Pennsylvania General Energy Company, LLC

Contact Person Douglas Kuntz

Address 120 Market Street

City, State, Zip Warren, PA 16365

County Lycoming County

Township(s) Plunketts Run Township

Receiving Stream(s) and Classification(s) Little Bear Creek(EV);

Secondary: Loyalsock Creek (EV)

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745.*

| ESCGP-2 No. | Applicant Name & Address   | County              | Municipality  | Receiving Water/Use                       |
|-------------|--|---------------------|---|---|
| 6513803     | Peoples Natural Gas Company, LLC<br>1201 Pitt Street<br>Pittsburgh, PA 15221 | Westmoreland County | Hempfield Township, Penn Township, and Salem Township | Beaver Run (HQ-CWF) and Brush Creek (TSF) |



*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

06/16/2013

ESCGP-2 No: ESX11-051-0026 Major Revision  
Applicant Name: Chevron—Appalachia LLC  
Contact Person Mr. Branden Weimer  
Address: 800 Mountain View Drive  
City: Smithfield State: PA Zip Code: 15478  
County: Fayette Township: Springhill  
Receiving Stream (s) And Classifications: UNT to Grassy Run / Upper Monongahela River Watershed (WWF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESG13-053-0006—WT 3801  
Applicant SWEPI LP  
Contact Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
Sewickley, PA 15143  
City Sewickley State PA Zip Code 15143  
County Forest Township(s) Howe(s)  
Receiving Stream(s) and Classification(s) UNT to Watson Branch & Gilfoyle Run

ESCGP-1 #ESX13-073-0003—Neshannock LCED Well Pad  
Applicant Hilcorp Energy Company  
Contact Stephanie McMurray  
Address 1201 Louisiana Street, Suite 1400  
City Houston State TX Zip Code 77002  
County Lawrence Township(s) Neshannock(s)  
Receiving Stream(s) and Classification(s) Shenango River WWF

ESCGP-1 #ESX13-019-0024—Stebbins to McElhinney Pipeline Project  
Applicant Markwest Liberty Bluestone LLC  
Contact Richard Lowry  
Address 601 Technology Drive, Suite 300  
City Canonsburg State PA Zip Code 15317  
County Butler Township(s) Forward and Penn(s)  
Receiving Stream(s) and Classification(s) Glade Run (WWF), 8 UNT's to Glade Run (WWF), & 1 UNT to Thorn Creek (CWF)/Connoquenessing Creek Watershed

### OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well location restrictions).

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed which the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to

the Board at (717) 787-3483. This paragraph does not in and of itself create a right of appeal beyond that permitted by applicable statutes and decisional law.

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Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483.

*Northwest Region District Oil and Gas Operations, Program Manager, 230 Chestnut St., Meadville, PA 16335*

Well Permit #: 131-20314-00-00  
Well Farm Name Porter WYO 2H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 N. Main Street, Athens, PA 18810  
County: Wyoming  
Municipality North Branch Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Jenningsville, Miller Brook.

Well Permit #: 121-45306-00-00  
Well Farm Name Stoltzfus 2 4032  
Applicant Name: Catalyst Energy, Inc.  
Contact Person: R. John Cass  
Address: 424 S. 27th Street, Suite 304, Pittsburgh, PA 15203  
County: Venango  
Municipality Pine Grove Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Kossuth,

Well Permit #: 121-45307-00-00  
Well Farm Name Stoltzfus 2 4033  
Applicant Name: Catalyst Energy, Inc.  
Contact Person: R. John Cass  
Address: 424 S. 27th Street, Suite 304, Pittsburgh, PA 16203  
County: Venango  
Municipality Pine Grove Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Kossuth

Well Permit #: 121-45308-00-00  
Well Farm Name Stoltzfus 2 4034  
Applicant Name: Catalyst Energy, Inc.  
Contact Person: R. John Cass  
Address: 424 S. 27th Street, Suite 304, Pittsburgh, PA 16203  
County: Venango  
Municipality Pine Grove Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Kossuth

Well Permit #: 121-45310-00-00  
Well Farm Name Stoltzfus 2 4036  
Applicant Name: Catalyst Energy, Inc.  
Contact Person: R. John Cass  
Address: 424 S. 27th Street, Suite 304, Pittsburgh, PA 16203  
County: Venango

Municipality Pine Grove Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Kossuth

Well Permit #: 019-22103-00-00  
Well Farm Name Concordia Lutheran Ministries 3M-679  
Applicant Name: Snyder Brothers, Inc.  
Contact Person: Mr. Todd Kunselman  
Address: 90 Glade Drive, Kittanning, PA 16201  
County: Butler

Municipality Winfield Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle

map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Curtisville, Sarver Run.

Well Permit #: 131-20310-00-00  
Well Farm Name Tiffany WYO 1H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 N. Main Street, Athens, PA 18801  
County: Wyoming

Municipality Windham Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Laceyville, Roaring Run.

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

| SSIP Permit No. | Applicant Name & Address   | County   | Municipality    | Tank Type                       | Tank Capacity         |
|-----------------|--|----------|-----------------|---------------------------------|-----------------------|
| 13-28-005       | Hammaker East, Ltd.<br>118 Siloam Road<br>Chambersburg, PA 17201-8901<br>Attn: Brook Statler | Franklin | Greene Township | 4 ASTs storing asphalt emulsion | 407,310 gallons total |

## SPECIAL NOTICES

### Categorical Exclusion

*Southwest Regional Office, Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Location:* Pittsburgh Water & Sewer Authority, 1200 Penn Avenue, Pittsburgh, PA 15222

*Description:* The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund is intended to be the funding source for this project.

The Authority proposes sewer rehabilitation project—Phase IV—to rehabilitate a portion of the existing sewers to reduce wet weather overflows. Construction will occur in same area as existing sewers.

The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

### Water Pollution Abatement Projects

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**EGS No. 05002, Broad Top Township**, P.O. Box 57, Defiance, PA 16633. A water pollution abatement project to construct and maintain water treatment systems to remediate acid mine drainage on George S. Meyers and Donald W. Meyers property located in Broad Top Township, **Bedford County**. Six Mile Run is the receiving stream for this project. Project received November 2, 2012. Project Issued: July 8, 2013.

**EGS No. 05003, Broad Top Township**, P.O. Box 57, Defiance, PA 16633. A water pollution abatement project

to design, construct and maintain water treatment systems to remediate abandoned mine drainage on The Sally A. Conley Trust property located in Broad Top Township, **Bedford County**. Sandy Run is the receiving stream for this project. Project received November 2, 2012. Project Issued: July 8, 2013.

**EGS No. 05004, Broad Top Township**, P.O. Box 57, Defiance, PA 16633. A water pollution abatement project to construct and maintain water treatment systems to remediate acid mine drainage on The Sally A. Conley Trust property located in Broad Top Township, **Bedford County**. Sandy Run is the receiving stream for this project. Project received November 2, 2012. Project Issued: July 8, 2013.

[Pa.B. Doc. No. 13-1388. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Solid Waste Advisory Committee and Recycling Fund Advisory Committee Rescheduled Meeting

The Solid Waste Advisory Committee and Recycling Fund Advisory Committee meeting scheduled for Thursday, August 8, 2013, is rescheduled to Thursday, September 26, 2013. The meeting will begin at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. The focus of this meeting will be to discuss the Department of Environmental Protection's (Department) Recycling Fund spending plan.

Questions concerning this meeting should be directed to Ali Tarquino-Morris at (717) 783-2630 or altarquino@pa.gov. The agenda and meeting materials this meeting will be available through the Public Participation Center

on the Department's web site at <http://www.dep.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2630 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1389. Filed for public inspection July 26, 2013, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Real Estate for Sale Blair County

The Department of General Services (Department) will accept bids for the purchase of the Frankstown/Altoona Armory that consists of 8.5 acres of land and a building, which is located at 327 Frankstown Road in the City of Altoona, Blair County. Bids are due Wednesday, November 20, 2013. Interested parties wishing to receive a copy of Solicitation No. 94484 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Michael Showers at (717) 772-8842.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1390. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Real Estate for Sale Blair County

The Department of General Services (Department) will accept bids for the purchase of 0.60 acre  $\pm$  of land and a building formerly known as the Tyrone Armory located at 926 South Logan Avenue, Borough of Tyrone, Blair County. Bids are due Wednesday, November 13, 2013. Interested parties wishing to receive a copy of Solicitation No. 94500 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1391. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Real Estate for Sale Centre County

The Department of General Services (Department) will accept bids for the purchase of the Bellefonte Armory that consists of 7.5 acres of land and a building, which is located at 1081B Zion Road in the Borough of Bellefonte, Centre County. Bids are due Wednesday, December 4,

2013. Interested parties wishing to receive a copy of Solicitation No. 94486 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Michael Showers at (717) 772-8842.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1392. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Real Estate for Sale Columbia County

The Department of General Services (Department) will accept bids for the purchase of 0.82 acre  $\pm$  of land and a building formerly known as the Berwick Armory located at 201 Pine Street, Borough of Berwick, Columbia County. Bids are due Monday, November 4, 2013. Interested parties wishing to receive a copy of Solicitation No. 94495 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1393. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Real Estate for Sale Cumberland County

The Department of General Services (Department) will accept bids for the purchase of 2.38 acres  $\pm$  of land and a building formerly known as the Cumberland County PennDOT Maintenance Facility located at 540 West North Street, Borough of Carlisle, Cumberland County. Bids are due Friday, November 15, 2013. Interested parties wishing to receive a copy of Solicitation No. 94503 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1394. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Real Estate for Sale Elk County

The Department of General Services (Department) will accept bids for the purchase of 15 acres  $\pm$  of land and storage buildings formerly known as the Ridgway National Guard Weekend Training Site located at 5509 Grant Road, Township of Ridgway, Elk County. Bids are due Thursday, November 7, 2013. Interested parties wishing to receive a copy of Solicitation No. 94498 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1395. Filed for public inspection July 26, 2013, 9:00 a.m.]



### **Real Estate for Sale Elk County**

The Department of General Services (Department) will accept bids for the purchase of 0.23 acre  $\pm$  of land and a building formerly known as the Ridgway Armory located at 72 North Broad Street, Borough of Ridgway, Elk County. Bids are due Friday, November 8, 2013. Interested parties wishing to receive a copy of Solicitation No. 94501 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1396. Filed for public inspection July 26, 2013, 9:00 a.m.]

### **Real Estate for Sale Franklin County**

The Department of General Services (Department) will accept bids for the purchase of the Waynesboro Armory that consists of 10.65 acres of land and a building, which is located at 410 North Grant Street in the Borough of Waynesboro, Franklin County. Bids are due Tuesday, December 3, 2013. Interested parties wishing to receive a copy of Solicitation No. 94488 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Michael Showers at (717) 772-8842.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1397. Filed for public inspection July 26, 2013, 9:00 a.m.]

### **Real Estate for Sale Huntingdon County**

The Department of General Services (Department) will accept bids for the purchase of the Huntingdon Armory that consists of 5.88 acres of land and a building, which is located at 206 Standing Stone Avenue in the Borough of Huntingdon, Huntingdon County. Bids are due Thursday, November 14, 2013. Interested parties wishing to receive a copy of Solicitation No. 94487 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Michael Showers at (717) 772-8842.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1398. Filed for public inspection July 26, 2013, 9:00 a.m.]

### **Real Estate for Sale Lackawanna County**

The Department of General Services (Department) will accept bids for the purchase of 1.50 acres  $\pm$  of land and a building formerly known as the Scranton Armory located at 900 Adams Avenue, City of Scranton, Lackawanna County. Bids are due Tuesday, November 12, 2013. Inter-

ested parties wishing to receive a copy of Solicitation No. 94502 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1399. Filed for public inspection July 26, 2013, 9:00 a.m.]

### **Real Estate for Sale Lancaster County**

The Department of General Services (Department) will accept bids for the purchase of 0.63 acre  $\pm$  of land and a building formerly known as the Lancaster Armory located at 438 North Queen Street, City of Lancaster, Lancaster County. Bids are due Wednesday, November 6, 2013. Interested parties wishing to receive a copy of Solicitation No. 94497 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1400. Filed for public inspection July 26, 2013, 9:00 a.m.]

### **Real Estate for Sale McKean County**

The Department of General Services (Department) will accept bids for the purchase of 0.29 acre  $\pm$  of land and a building formerly known as the Bradford Armory located at 38 Barbour Street, City of Bradford, McKean County. Bids are due Tuesday, November 5, 2013. Interested parties wishing to receive a copy of Solicitation No. 94496 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1401. Filed for public inspection July 26, 2013, 9:00 a.m.]

### **Real Estate for Sale Northumberland County**

The Department of General Services (Department) will accept bids for the purchase of the Sunbury Armory that consists of 10 acres of land and a building, which is located at 206 Armory Road in the City of Sunbury, Northumberland County. Bids are due Wednesday, November 6, 2013. Interested parties wishing to receive a copy of Solicitation No. 94485 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Michael Showers at (717) 772-8842.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1402. Filed for public inspection July 26, 2013, 9:00 a.m.]



## DEPARTMENT OF HEALTH

### Application of Brandywine Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Brandywine Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 13-1403. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Application of Eastern Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Eastern Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.10.6.12 (relating to janitor's closet).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 13-1404. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Silver Oaks Health and Rehabilitation Center  
715 Harbor Street  
New Castle, PA 16101

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(f) (relating to resident bedrooms):

Linwood Nursing and Rehabilitation Center  
100 Linwood Avenue  
Scranton, PA 18505  
FAC ID 394502

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 13-1405. Filed for public inspection July 26, 2013, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P.S. §§ 165-1—165-17). This notice is published for the information and convenience of public

bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

| <i>Contractor</i>   | <i>Address</i>   | <i>Date of<br/>Debarment</i> |
|---|--|------------------------------|
| Tammy Webster,<br>individually, and<br>Harry Webster,<br>individually, d/b/a<br>Webster Plumbing<br>and Heating<br>FEIN No. 2514851 | 710 Pennsylvania<br>Avenue<br>East Warren, PA<br>16365 | 7/15/2013                    |

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 13-1406. Filed for public inspection July 26, 2013, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P. S. §§ 1381.1—1381.3), intends to sell the following property owned by the Department.

The following is the location of the property available for sale by the Department:

LR 67045 Sec. 01B Parcel # 381 Philadelphia Township, Philadelphia County. The parcel contains approximately 11,521 square feet, located at 1001—1005 Vine Street at the corner of 10th and Vine Streets, Philadelphia, PA 19107.

The estimated fair market value of the parcel is \$772,000. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice by calling Mary C. Lambright at (610) 205-6507 or writing to the Department of Transportation, Engineering District 0-6, Lester C. Toaso, District Executive, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 13-1407. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Finding Delaware County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Director of the Bureau of Project Delivery, as delegated by the Secretary of Transportation, makes the following written finding:

The Department of Transportation (Department) is planning to widen SR 0252, Providence Road in Upper

Providence Township, Delaware County. This project involves widening SR 0252 (Providence Road) from a 40-foot, three-lane cross section to a 61-foot, five-lane cross section (two through-lanes in each direction and a dedicated center left-turn lane). The project will extend from the intersection of Providence Road and Kirk Lane, northwest, to the convergence with Palmers Mill Road. The total project length will be approximately 0.74 mile.

The project will require the use of an approximately 12-foot wide strip of the Section 2002 resource, Rose Tree Park, for a 1.034-acre acquisition. The project will also require 0.198 acre of drainage easement and 0.977 acre of temporary construction occupancy from Rose Tree Park.

In accordance with section 2002 of The Administrative Code of 1929 establishing the Department, a Level-2 Environmental Documentation (ED) has been developed for the subject project along with a "Determination of Section 2002 No Adverse Use" document to evaluate the potential environmental impacts caused by the subject project. The environmental, economic, social and other effects of the proposed project, as enumerated in section 2002 of The Administrative Code of 1929, have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed action, and the project is planned to minimize harm to the Section 2002 resources. Mitigation measures will be taken to minimize harm as stipulated in the Level-2 ED.

GEORGE W. MCAULEY, P.E.,  
*Acting Director*  
*Bureau of Project Delivery*

[Pa.B. Doc. No. 13-1408. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Finding Luzerne County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Director of the Bureau of Project Delivery, as delegated by the Secretary of Transportation, makes the following written finding:

The Department of Transportation (Department) is planning to construct a new roadway on new alignment with upgrades to the existing Middle Road, Luzerne County. In summary, the South Valley Parkway (SVP) project would begin at the Middle Road/Prospect Street intersection and travel east to a new PA 29, Exit 2 interchange. Roundabouts are proposed at the Middle Road intersections with Prospect, Espy and Kosciusko Streets, and other roundabouts are proposed at the intersections of the interchange with PA 29. The 3.8-mile new alignment portion of the SVP will be one lane in each direction (with a climbing lane and center left-turn lane where applicable). The new split diamond interchange with PA 29 will be west of and replace the existing Exit 2 interchange. There will be two bridges (a 700-foot bridge over PA 29, Dundee Cross Road and Nanticoke Creek and a 150-foot bridge over PA 29 near the existing Exit 2) and one culvert (178-foot box culvert for Warrior Creek). The proposed project will not have a significant effect on the environment.

In accordance with section 2002 of The Administrative Code of 1929 establishing the Department, an Environmental Assessment (EA) has been developed for the subject project. The environmental, economic, social and other effects of the proposed project as enumerated in

section 2002 of The Administrative Code of 1929 have been considered. The EA and EA Response to Comment Report have been independently evaluated by Federal Highway Administration (FHWA) and determined to discuss adequately and accurately the need, environmental issues and impacts of the proposed project and appropriate mitigation measures. Based on the EA, the FHWA has issued a Finding of No Significant Impact for the project.

Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed action and the project is planned to minimize harm to the Section 2002 resources. Mitigation measures will be taken to minimize harm as stipulated in the EA.

GEORGE W. MCAULEY, P.E.,  
*Acting Director*  
*Bureau of Project Delivery*

[Pa.B. Doc. No. 13-1409. Filed for public inspection July 26, 2013, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### **Emerald Coal Resources, LP v. DEP; EHB Doc. No. 2013-101-M**

The Emerald Coal Resources, LP has appealed the issuance by the Department of Environmental Protection for an NPDES permit to Emerald Coal Resources, LP for a facility in Franklin Township, Greene County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 13-1410. Filed for public inspection July 26, 2013, 9:00 a.m.]

### **Rosebud Mining Company v. DEP; EHB Doc. No. 2013-102-B**

Rosebud Mining Company has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Rosebud Mining Company for a facility in Paint Township, Somerset County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 13-1411. Filed for public inspection July 26, 2013, 9:00 a.m.]

### **Upper Merion Municipal Utility Authority v. DEP; EHB Doc. No. 2013-100-L**

The Upper Merion Municipal Utility Authority has appealed the issuance by the Department of Environmental Protection of two NPDES permits to Upper Merion Municipal Utility Authority for facilities in Upper Merion Township, Montgomery County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 13-1412. Filed for public inspection July 26, 2013, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### **Classification of Wild Trout Streams; Proposed Additions to List; October 2013**

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commis-



sion's Fisheries Management Division maintains the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time to time publish the list of wild trout streams in the *Pennsylvania Bulletin*. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams.

At the next Commission meeting on September 30 and October 1, 2013, the Commission will consider changes to its list of wild trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

| County   | Stream Name  | Tributary To    | Section Limits      |
|----------|--------------|-----------------|---------------------|
| Centre   | Potter Run   | Sinking Creek   | Headwaters to mouth |
| Somerset | Pickings Run | Beaverdam Creek | Headwaters to mouth |

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,  
Executive Director

[Pa.B. Doc. No. 13-1413. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Proposed Changes to List of Class A Wild Trout Waters; October 2013

The Fish and Boat Commission (Commission) is considering changes to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent

the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

Criteria developed for Class A Wild Trout fisheries are species specific. Wild Trout Abundance Class Criteria include provisions for:

(i) *Wild Brook Trout Fisheries*

(A) Total brook trout biomass of at least 30 kg/ha (26.7 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brook trout biomass must comprise at least 75% of the total trout biomass.

(ii) *Wild Brown Trout Fisheries*

(A) Total brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brown trout biomass must comprise at least 75% of the total trout biomass.

(iii) *Mixed Wild Brook and Brown Trout Fisheries*

(A) Combined brook and brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass must comprise less than 75% of the total trout biomass.

(E) Brown trout biomass must comprise less than 75% of the total trout biomass.

(iv) *Wild Rainbow Trout Fisheries*

Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 2.0 kg/ha (1.78 lbs/acre).

For a water to be removed from the Class A Wild Trout Streams designation, total trout biomass must be documented below the set criteria for two consecutive stream examinations.

During recent surveys, Commission staff documented the following stream sections to have Class A wild trout populations. The Commission intends to consider adding these waters to its list of Class A Wild Trout Streams at its meeting on September 30 and October 1, 2013.

| County | Stream     | Section | Limits                                  | Brook Trout (kg/ha) | Brown Trout (kg/ha) | Rainbow Trout (kg/ha) | Length (miles) | Survey Year |
|--------|------------|---------|---|---------------------|---------------------|-----------------------|----------------|-------------|
| Centre | Potter Run | 01      | Headwaters downstream to DCNR Reservoir | 13.82               | 37.56               | —                     | 3.51           | 2013        |
| Centre | Potter Run | 02      | DCNR Reservoir downstream to mouth      | 1.22                | 126.60              | —                     | 4.03           | 2013        |



| <i>County</i> | <i>Stream</i>     | <i>Section</i> | <i>Limits</i>  | <i>Brook Trout<br/>(kg/ha)</i> | <i>Brown Trout<br/>(kg/ha)</i> | <i>Rainbow Trout<br/>(kg/ha)</i> | <i>Length<br/>(miles)</i> | <i>Survey<br/>Year</i> |
|---------------|-------------------|----------------|--|--------------------------------|--------------------------------|----------------------------------|---------------------------|------------------------|
| Jefferson     | Rattlesnake Creek | 01             | Headwaters downstream to 450 M upstream of T574 Bridge | 37.97                          | 0.24                           | —                                | 4.28                      | 2013                   |
| Somerset      | Pickings Run      | 01             | Headwaters to mouth                                    | 76.54                          | —                              | —                                | 3.63                      | 2012                   |

Persons with comments, objections or suggestions concerning the additions are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,  
Executive Director

[Pa.B. Doc. No. 13-1414. Filed for public inspection July 26, 2013, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

*Final-Form  
Reg. No.*

*Agency/Title*

*Received*

*Public  
Meeting*

10-190

Department of Health  
Emergency Medical Services System

7/16/13

8/22/13

SILVAN B. LUTKEWITTE, III,  
Chairperson

[Pa.B. Doc. No. 13-1415. Filed for public inspection July 26, 2013, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of Auberle Foundation; Pennsylvania Compensation Rating Bureau; Doc. No. CL13-07-002

A prehearing telephone conference initiated by this office is scheduled for August 20, 2013, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 16, 2013. A date for a hearing shall be determined, if necessary, at the prehearing conference. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102 on or before August 5, 2013. Answers to petitions to intervene, if any, shall be filed on or before August 19, 2013.

A written request for continuance of the scheduled prehearing telephone conference and hearing, for good cause will be considered by the Presiding Officer. Prior to

requesting a continuance, a party must contact the opposing party. All continuance requests must indicate whether the opposing party objects to a continuance.

MICHAEL F. CONSEDINE,  
Insurance Commissioner

[Pa.B. Doc. No. 13-1416. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Personal Auto Insurers; Rate Filing Reforms; Informational Notice

The Insurance Department (Department), Office of Insurance Product Regulation, is streamlining the process by which it reviews and approves filings for personal auto rate changes. This effects the supporting requirements for the top 20 insurers of personal auto, as measured by premium volume market share, as well as all other insurers providing personal auto coverage when filing proposed rate changes.

Effective immediately, the Department's review process of these rate filings will entail the following:

- For routine personal auto rate filings of the top 20 insurers, and for all personal auto rate filings of other insurers, the Department will no longer make the data demands it has in the past. With these filings, the Department will conduct a review to fulfill its statutory obligation of prior review and approval of rate changes to ensure they are not excessive, inadequate or unfairly discriminatory. Any filing has to satisfy four broad categories: rates must be fully disclosed; they must be compliant with Commonwealth law; they must fully disclose all disruptions on all insureds (the variance on distributions); and they must provide adequate support for the proposed changes.

- o "Adequate support" means the techniques and data used to develop and justify a change, not just the change itself—the standard elements and techniques insurers develop, use and file across the country.

- o Insurers should give particular attention to demonstrating that distributions are arrived at consistently across all territories.

- "Routine" filings of the top 20 insurers shall be those with annual increases at or below 5% in the aggregate (including all decreases) and not greater than 25% on distributions to any individual policy in addition to the aggregate increase. For top 20 insurers making filings that exceed these levels, the Department will now request the following data as part of the supporting justification. The new streamlined "data request" is the following:

1. A summary exhibit of the proposed changes, both in dollars and as a percent of change. Provide this information on an "All Limits" or "All Deductible" basis. This information must detail the proposed changes separately by:

- A.) Company or program.
- B.) All companies or programs combined.
- C.) Territory.
- D.) Statewide.
- E.) Coverage.
- F.) Liability coverages combined.
- G.) Physical damage coverages combined.
- H.) All coverages combined.

The response should include an exhibit of the current and proposed base rates and percent of change, by coverage, territory and company (and/or program).

2. Frequency distributions (histograms) showing both the percentage change impact and the dollar change impact of the proposed changes on the policyholders, by company. Companies should also report the maximum dollar and percentage increases any insured would receive as a result of the changes contained in the filing.

3. A rate history, expressed both in dollars and as a percent, which includes the dates and amounts of each rate and rule change spanning the 6 most recent accident years through the current rate level. This history must detail the changes on an "All Limits" or "All Deductibles" basis separately by:

- A.) Company or program, or both.
- B.) All companies or all programs combined, or both.
- C.) Coverage.
- D.) All coverages combined.

4. An exhibit of the following Pennsylvania premium and exposure data for each of the 5 most recent accident years separately by company (and/or program) and coverage (that is, bodily injury, property damage, first party benefits, uninsured motorists, underinsured motorists, comprehensive and collision):

- A.) Earned car years.
- B.) Earned premiums at collected rate level.
- C.) Earned premiums at current rate level.
- D.) Percent of premium earned on an annual policy.
- E.) Percent of premium earned on a semiannual policy.
- F.) Percent of premium earned on other than an annual or semiannual policy.

Items (A)–(F) should be shown for "All Limits" or "All Deductibles."

Data should be consistent for rate-making purposes with the experience periods used in the filing to derive the rate change indications.

5. An exhibit of the following expense and expense related items separately by company (and/or program) and coverage separately for each of the 3 most recent calendar years:

- A.) Direct written premiums.
- B.) Direct earned premiums.
- C.) Direct commission and brokerage.
- D.) Direct general expenses.
- E.) Direct other acquisition, field supervision and collection expenses.
- F.) Taxes, licenses and fees.
- G.) Incurred losses, excluding IBNR.
- H.) Paid losses.
- I.) Direct paid unallocated loss adjustment expenses.
- J.) Direct paid allocated loss adjustment expenses.
- K.) Direct incurred allocated loss adjustment expenses, excluding IBNR.

Items (A) and (B) should be submitted on both a Pennsylvania basis and a Countrywide basis.

Items (C) and (F) should be submitted on a Pennsylvania basis only. All other items may be submitted on either a Pennsylvania basis or Countrywide basis, or both.

6. An exhibit of the following loss development data for the 5 most recent accident years separately by coverage (that is, bodily injury, property damage, first party benefits, uninsured motorists, underinsured motorists, comprehensive and collision):

- A.) Earned exposures.
- B.) Cumulative reported claims.
- C.) Cumulative claims closed with payment.
- D.) Cumulative claims closed without payment.
- E.) Cumulative paid losses (excluding loss adjustment expense).
- F.) Cumulative paid allocated loss adjustment expense.
- G.) Incurred losses on a case, formula or reported basis (that is, excluding IBNR or bulk reserves and loss adjustment expenses, or both).

- H.) Incurred allocated loss adjustment expenses on a case, formula or reported basis (that is, excluding IBNR or bulk reserves, or both).

Data should be consistent for rate-making purposes with the experience periods used in the filing to derive the rate change indications. Items (B)—(H) should show development or emergence at subsequent annual stages of reporting, or both. Items (E)—(H) should be provided on an “All Limits” basis.

7. As discussed in the “Statement of Principles Regarding Property and Casualty Loss and Loss Adjustment Expense Reserves” promulgated by the Casualty Actuarial Society, discuss any considerations that may have had a substantive impact on the loss development data. Also, discuss any considerations that may have a substantive impact on future loss development and how the data should be adjusted to reflect expected future conditions.

8. As discussed in the “Statement of Principles Regarding Property and Casualty Insurance Ratemaking” promulgated by the Casualty Actuarial Society, discuss any considerations that may have had a substantive impact on any of the data contained in the filing (or provided in response to this data request), on the analysis and on the proposed changes. Also, discuss any considerations that may have a substantive impact in the future on any of the data contained in the filing (or provided in response to this data request); on the analysis and on the proposed changes and how the data should be adjusted to reflect expected future conditions.

For example, has the company changed or does it expect to change its commission schedules during the period spanning the underlying experience through the time the proposed rates will be in effect? If so, the company should include a copy of the old and new commission schedules and an explanation of the changes.

Examples of other important changes could include, but not necessarily be limited to, the following: change in average vehicle age; change in average driver age; and change in average number of years of experience.

The new “data request” requirement will be available on the Department’s web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Questions regarding these changes can be directed to the Director of the Property and Casualty Bureau, Mark Lersch, [mlersch@pa.gov](mailto:mlersch@pa.gov).

MICHAEL F. CONSEDINE,  
Insurance Commissioner

[Pa.B. Doc. No. 13-1417. Filed for public inspection July 26, 2013, 9:00 a.m.]

## OFFICE OF ATTORNEY GENERAL

[ OFFICIAL OPINION 2013-1 ]

### Request for Legal Advice Concerning the Citizenship and Residency Requirements for Licensure under the Liquor Code

July 11, 2013

Joseph E. Brion, Chairman  
Liquor Control Board  
517 Northwest Office Building  
Harrisburg, PA 17124

Dear Chairman Brion:

On behalf of the Pennsylvanian Liquor Control Board (“Board”), you have requested an opinion regarding the

Board’s enforcement responsibility for the citizenship and residency prerequisites to licensure contained in the Liquor Code (“Code”), 47 P. S. § 1-101 et. seq.

With regard to those sections of the Code which require an applicant for licensure be a United States citizen, this office has rendered two previous opinions on the subject. Official Opinion No. 23 of 1974 advised the Board not to take any action to enforce the citizenship requirement for corporate licensees with resident alien officers contained in section 4-403 of the Code, as it was unconstitutional under the Fourteenth Amendment of the United States Constitution. In rendering the opinion, the office relied upon United States Supreme Court jurisprudence, which establishes that classifications based on alienage are inherently suspect and the subject of close judicial scrutiny. See *Graham v. Richardson*, 403 U.S. 365 (1971) (striking down a Pennsylvania statute which conditioned state welfare benefits on United States citizenship). Only when a state can demonstrate a compelling interest will a citizenship requirement be upheld. *Id.* The Fourteenth Amendment requires that “all persons lawfully in this country possess an equality of legal privileges with all citizens under non-discriminatory laws.” *Takahashi v. Fish and Game Commission*, 334 U.S. 410, 420 (1948) (holding that California could not refuse to issue commercial fishing licenses to resident aliens which were otherwise available to non-alien state residents). As a result, this office concluded that “discrimination against alien residents is obviously irrational and invidious” and ultimately unenforceable. *O.O. No. 23* at pg. 83, Op. Pa. Atty. Gen. (April 30, 1974).

Also in 1974, this office issued Official Opinion No. 48, which clarified whether the ruling in Official Opinion No. 23 applied to foreign corporations having nonresident alien officers or stockholders. While we acknowledged that nonresident aliens are not expressly protected by the United States Constitution or Federal Civil Rights Acts, there was “no need to require that the citizenship provisions of the Liquor Code be treated as unconstitutional when independently applied to nonresident aliens.” *O.O. No. 48* at pg. 191, Op. Pa. Atty. Gen. (Sept. 18, 1974). Rather, section 4-403 had already been found unconstitutional as applied to resident aliens, and “the language unconstitutionally infirm against resident aliens is so inseparable and intertwined with that as applied against nonresidents that it cannot continue to stand.” *Id.* As support for this conclusion, we noted there was no evidence the Legislature intended section 4-403 to separately apply to nonresident aliens. *Id.* The section referred only to “citizen” and we declined to construe “citizen” to mean “resident.” *Id.* Doing so, in our view, would have amended, rather than interpreted, the Code. *Id.* Therefore, we advised the Board that “all applications of this section referring to residency and citizenship” were so connected that its unconstitutionality in the one instance meant its demise in all cases, and no license should be revoked or application denied “on the basis of the residency requirements of Section 4-403(c).” *O.O. No. 48* at pg. 192.

Although the term “residency” was used in Official Opinion No. 48, the purpose of the opinion was to alleviate any confusion regarding the applicability of Official Opinion No. 23 to nonresident alien officers of foreign corporations. As a result, Official Opinion No. 48 stands only for the proposition that section 4-403(c) cannot be enforced against aliens, irrespective of their residency, for the reasons stated therein. The purpose of



Official Opinion No. 48 was not to address the in-state residency requirements contained in the Code, and should not be construed as such.

At the time Official Opinions Nos. 23 and 48 were issued, we examined only the constitutionality of section 4-403(c). Presently, the Board has requested this office also review the citizenship requirements for licensure contained throughout the Code. Such a review indicates that the constitutional standard articulated in Official Opinions Nos. 23 and 48 of 1974 has not changed, and applies with equal force today. The nondiscrimination principles articulated in Official Opinion No. 23 are not limited to the citizenship requirements imposed on corporate licensees with resident alien officers. Any citizenship requirement for licensure, be it for a corporation, association or individual, violates the Fourteenth Amendment.

In conjunction with the citizenship requirements, the Code mandates some form of Pennsylvania state residency as a condition for licensure. The constitutionality of the residency requirements is a separate issue, and necessitates its own analysis. To that end, when providing legal advice to the head of a Commonwealth agency, the Attorney General is required by Section 204(a)(3) of the Commonwealth Attorneys Act, 71 P.S. § 732-204(a)(3), “to uphold and defend the constitutionality of all statutes so as to prevent their suspension or abrogation in the absence of a controlling decision by a court of competent jurisdiction.” As a threshold matter, it must be emphasized that the concept of a “controlling decision by a court of competent jurisdiction” is not predisposed to precise definition. The standard cannot be construed so narrowly as to require a decision by the highest possible appellate court holding unconstitutional the very provision on which the Attorney General’s advice is sought. Conversely, a decision said to be “controlling” must be more than merely predictive of the constitutionality of the statutory provision in question. It must adjudicate the constitutionality of a statutory provision materially indistinguishable from the statute at issue, and it must be rendered by a court that has jurisdiction over the entirety of Pennsylvania.

With regard to the validity of residency requirements as a condition for licensure under a state liquor code, there has not been a case decided by a court of competent jurisdiction that adjudicated the constitutionality of a statutory provision materially indistinguishable from the requirements contained in the Pennsylvania Liquor Code.

The leading case in area of state liquor law requirements is *Granholm v. Heald*, 544 U.S. 460 (2005). There, the United States Supreme Court addressed the validity, under the Commerce Clause, of state laws prohibiting out-of-state wineries from shipping wine directly to in-state customers, while permitting in-state wineries to ship directly to in-state consumers. In striking down these laws, the Court noted that “in all but the narrowest circumstances, state laws violate the Commerce Clause if they mandate ‘differential treatment of in-state and out-of-state economic interests that benefits the former and burdens the latter.’” Id. at 472, quoting *Oregon Waste Systems, Inc. v. Department of Environmental Quality of Ore.*, 511 U.S. 93, 99 (1994). Nonresidence, by itself, should not prevent a producer in one state from accessing the market in another state. Id. at 472. A state is not permitted to promulgate laws that “burden out-of-state producers or shippers simply to give a competitive advantage to in-state businesses.” Id.

The Court considered, and quickly dismissed, the idea that the passage of the 21st Amendment to the United

States Constitution gave states the authority to engage in unfettered discrimination against out-of-state goods. Section 2 of the 21st Amendment provides that “the transportation or importation into any State . . . for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.” U.S.C. Const. Amend. XXI, § 2. Rather than immunizing the states from the reach of the Commerce Clause, the 21st Amendment allows states to “maintain an effective and uniform system for controlling liquor by regulating its transportation, importation and use.” *Granholm* at 484.

At no time were in-state residency requirements directly addressed by the *Granholm* Court. When faced with the States’ argument that the invalidation of the direct shipment laws at issue would call into question the constitutionality of the traditional three-tier system of alcohol production, importation and distribution, the Court unequivocally stated “we have previously recognized that the three-tier system itself is ‘unquestionably legitimate.’” *Granholm* at 489, quoting *North Dakota v. United States*, 495 U.S. 423, 432 (1990). The Court firmly acknowledged that the 21st Amendment “grants the States virtually complete control over whether to permit importation or sale of liquor and how to structure the liquor distribution system.” Id. at 488, citing *California Retail Liquor Dealers Assn v. Midcal Aluminum*, 445 U.S. 97, 110 (1980). Further, the 21st Amendment protects state policies that treat liquor produced out-of-state the same as its domestic equivalent. Id. at 489.

Given that the facts of *Granholm*, and its holding, centered around a direct shipping ban on wine applicable only to out-of-state producers, it cannot be said to have adjudicated a statute “materially indistinguishable” from the Pennsylvania in-state residency requirements for licensure. Furthermore, given the care with which the Court reaffirmed the legitimacy of the traditional three-tier system of alcohol production, importation and distribution, in conjunction with the state’s power to structure the same, any attempt to construe *Granholm* as mandating the unconstitutionality of all in-state residency requirements, would anticipate a position the Court has not yet taken.

Therefore, given the lack of a controlling case from a court of competent jurisdiction, the in-state residency requirements in the Liquor Code must continue to stand as constitutional.

In summary, for the reasons set forth herein, it is our opinion, and you are so advised, that: (1) Official Opinion No. 23 of 1974 applies uniformly to the citizenship requirements for licensure in the Liquor Code, and so are unconstitutional and should not be enforced and (2) the in-state residency requirements for licensure remain constitutional and should be enforced.

Finally, you are advised that, in accordance with Section 204(a)(1) of the Commonwealth Attorneys Act, 71 P.S. § 732-204(a)(1), you are required to follow the advice set forth in this Opinion and shall not in any way be liable for doing so.

KATHLEEN G. KANE,  
Attorney General

[Pa.B. Doc. No. 13-1418. Filed for public inspection July 26, 2013, 9:00 a.m.]



# PENNSYLVANIA ALZHEIMER'S DISEASE PLANNING COMMITTEE

## Public Meeting

The Pennsylvania Alzheimer's Disease Planning Committee (Committee), created by Executive Order 2013-01, will be holding a public meeting on Thursday, August 8, 2013. The meeting will be held from 9 a.m. to 12:30 p.m. at the Center for Healthy Aging, Ruth Pike Auditorium, 022 Biobehavioral Health Building, University Park, PA 16802.

Residents, local government officials and interested organizations in this Commonwealth are invited to submit comments as the Committee prepares to develop a State Plan of action to address the growing crises of Alzheimer's disease and related dementias.

Individuals who wish to provide oral comments at the August 8, 2013, meeting must call in advance to schedule a time. Oral comments will be time-limited per person and a written copy of the comments will be requested the day of the meeting. To schedule oral comments at the meeting, contact Amy Comarnitsky at (717) 425-5115.

The facility is accessible by people with disabilities. People with a disability who require an accommodation to attend the public meeting are asked to notify Amy Comarnitsky at the previously listed phone number in advance so the appropriate accommodations can be made.

Persons wishing to submit written comments to the Committee should address it to Amy Comarnitsky, Pennsylvania Alzheimer's Disease Planning Committee, 555 Walnut Street, 5th Floor, Harrisburg, PA 17101-1919. Comments may also be submitted to [alzstateplan@pa.gov](mailto:alzstateplan@pa.gov).

BRIAN M. DUKE,  
*Chairperson*

[Pa.B. Doc. No. 13-1419. Filed for public inspection July 26, 2013, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Implementation of Act 129 of 2008; Phase 2—Reg- istry of Conservation Service Providers

Public Meeting held  
July 16, 2013

*Commissioners Present:* Robert F. Powelson, Chairperson;  
John F. Coleman, Vice Chairperson; Wayne E. Gardner;  
James H. Cawley; Pamela A. Witmer

*Implementation of Act 129 of 2008; Phase 2—  
Registry of Conservation Service Providers;  
Doc. No. M-2008-2074154*

## Order

*By the Commission:*

By Tentative Order entered January 10, 2013, the Pennsylvania Public Utility Commission (Commission) solicited comments on proposed revisions to the conservation service provider (CSP) registration process and appli-

cations. In addition, the Commission proposed requiring CSP registration for entities that enter into contractual arrangements with CSPs that are under contract with an electric distribution company (EDC) for the purpose of implementing programs relating to an EDC's Energy Efficiency and Conservation Plan. In an Order entered on May 23, 2013, the Commission adopted the CSP registry change and renewal forms and sought additional comments on the proposal to require registration of all CSP subcontractors. With this Order, the Commission adopts the use of the CSP registry application form as modified by this Order (see Annex). In addition, the Commission directs all CSPs that are contracted by another CSP to perform services under the contractual obligation of an EDC to also register as a CSP if the value of its contract equals or exceeds 10% of the total value of the primary CSP contract with the EDC.

## Background

On February 5, 2009, the Commission adopted a Final Order that established the CSP registry and the minimum experience and qualification requirements for registered CSPs in accordance with Act 129 of 2008, 66 Pa.C.S. § 2806.2 [the Act or Act 129].<sup>1</sup> This 2009 CSP Registry Order also established the application for registration and the registration fee. In a Tentative Order entered on January 10, 2013, the Commission proposed changes to the CSP application process and package and sought comments and reply comments on these proposed changes. The proposed modifications did not alter the minimum requirements for CSP registration established by the 2009 CSP Registry Order. The Energy Association of Pennsylvania (EAP) filed comments on February 25, 2013, (EAP February Comments) on behalf of its EDC members subject to the provisions of Act 129.<sup>2</sup> No reply comments were filed.

On May 23, 2013, the Commission entered an Order adopting the application, renewal and information update processes as modified by that Order.<sup>3</sup> In addition, the Commission adopted the applications for Renewal of CSP Registration (No Changes), Renewal of CSP Registration (Changes) and Update CSP Registration. Additionally, the Commission directed parties to file comments regarding the language provided by EAP and, in particular, justification for any particular subcontractors to register as a CSP. Again, EAP was the only party to file comments on June 24, 2013 (EAP June Comments).

## Discussion

### A. Registration Process

As noted in the May 23, 2013 CSP Order, the Commission will continue to require that an initial application for entry into the Commission's CSP registry be made on a form adopted by the Commission. A copy of the application may be obtained from the Commission's Secretary and will be made available on the Commission's website. An application for entry into the CSP registry shall be verified by an oath or affirmation as required in 52 Pa. Code § 1.36 (relating to verification). The completed application and supporting attachments shall be filed with the Secretary's Bureau. The non-refundable new

<sup>1</sup> See Implementation of Act 129 of 2008 Phase 2—Registry of Conservation Service Providers, Final Order (2009 CSP Registry Order) at Docket No. M-2008-2074154, entered February 5, 2009.

<sup>2</sup> EAP members subject to Act 129 include Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company. EAP February Comments at 2.

<sup>3</sup> See Implementation of Act 129 of 2008 Phase 2—Registry of Conservation Service Providers, Order (May 23, 2013 CSP Order) at Docket No. M-2008-2074154, entered on May 23, 2013, at 2-6.

application fee shall be maintained at \$125 and be submitted in a form as prescribed in 52 Pa. Code § 1.42.

As established in the 2009 CSP Registry Order, the Commission will continue to require all registered CSPs to re-qualify every two years in order to maintain a current registry. The non-refundable application renewal fee shall be maintained at \$25 and be submitted in a form as prescribed in 52 Pa. Code § 1.42. The Commission also expects registered CSPs to notify the Commission, in writing, of any changes to the information provided in its initial or renewal applications. To expedite the process for the filing of updated information and renewal applications, the Commission, in the May 23, 2013 Order, adopted three Applications for Renewal or Update of Conservation Service Provider Registration and set forth when each renewal and update applications are to be used, as well as the process for maintaining registration.<sup>4</sup>

The Commission again stresses that all registered CSPs must notify the Commission when there are changes to the information provided in their applications when they occur, not just at the time of renewal. By adopting the Application to Update CSP Registration the Commission facilitated this requirement in a manner that reduces the administrative burdens on registered CSPs.

#### B. Application Package

As stated in the May 23, 2013 CSP Order, we proposed the use of the modified application form.<sup>5</sup> This revised CSP application was shortened from 11 pages to 7 pages. All of the items appearing on the original application also appear on the revised application, with the exception of those changes detailed and discussed in sections C and D of the Tentative Order. In addition, the items in the original application were reorganized to group similar requirements into four primary sections: 1—Identity of Applicant; 2—Registered Agent; 3—Applicant's Operations; and 4—Compliance.

As also stated in the May 23, 2013 CSP Order, Section 1 in the revised application—Identity of Applicant, combines information formerly addressed in the original application, sections 1—Identity of the Applicant; 2—Contact Person; 4—Fictitious Name; and 6—Affiliates and Predecessors within Pennsylvania. The identification of contract and business partnerships were newly proposed items contained in the revised application that are specifically addressed in section C below.

In addition, as stated in the May 23, 2013 CSP Order, Section 2 of the revised application—Registered Agent is a combination of all information relating to the applicant's required filing with the Pennsylvania Department of State (Department) and use of a registered agent, if applicable, that were addressed previously in Section 3 (relating to registered agent) and Section 5 (relating to business entity and Department filings) in the original application. We also noted that occasionally, applicants would file for CSP registration without having appropriately registered with the Department, causing confusion and unnecessary delays in processing the application.

We further stated that Section 3 of the revised application—Applicant's Operations, is a combination of sections 7, 8, 14 and 15 in the original application, relating to applicant's present and proposed operations, as well as

the applicant's technical fitness and financial responsibility. These items were consolidated to avoid duplication of information. The proposed change should simplify the application review process by providing categories for applicants to identify themselves, their proposed services and the EDC business partners of interest.

The Commission also proposed to eliminate use of the Tax Certification Statement, referenced in Section 9 of the original application, and add a requirement for proof of current liability insurance coverage. Section 4 of the revised application—Compliance, consolidates all items contained in sections 10, 11, 12 and 13 of the original application. This consolidation helps applicants understand important compliance issues for CSP registration, such as: criminal convictions, tax delinquency, bankruptcy or liquidation proceedings, and customer complaints. The remaining Sections 5 through 8 that appear on the revised application are consolidated from various sections on the original application.

The Commission received no comments regarding these modifications to the CSP application package and the use of the modified application form contained in Annex A of the Tentative Order. As such, the Commission will adopt the revised application package as modified by this order below.

#### C. Conservation Service Provider Identity Information

As we noted in the May 23, 2013 CSP Order, the Act defines a CSP as "an entity that provides information and technical assistance on measures to enable a person to increase energy efficiency or reduce energy consumption and that has no direct or indirect ownership, partnership or other affiliated interest with an electric distribution company." 66 Pa.C.S. § 2806.1(m). As the Commission and EDCs must be able to identify the type of entity a CSP is and confirm that it is not owned, partnered or affiliated with an EDC, the Commission proposed to require all CSP registry applicants to provide the following information relating to their identity:<sup>6</sup>

1. Legal name of the Applicant and proof of compliance with appropriate Department filing requirements.<sup>7</sup>
2. Trade or Commercial or Fictitious names used by Applicant.
3. Contact information for principal place of business and for Applicant, if different from its principal place of business.
4. Names and contact information for any predecessor, parent and subsidiary companies and affiliates and disclosure if any are currently doing business in Pennsylvania as a CSP or EDC.
5. Disclosure of any contracts or business partnerships that the Applicant has with a CSP or EDC.
6. Names of principal officers, an organizational chart, and contact information for each office.
7. Brief biographies or resumes for all principal officers and management directly responsible for Applicant's operations.

<sup>6</sup> These items were presented differently in the proposed application to provide clarity. In addition, items 5, 8 and 9 were new requests also being proposed to provide clarity.

<sup>7</sup> A copy of any document from the Department of State documenting the Applicant's Department of State entity number is adequate. Certified copies of Pennsylvania Department of State documents are not required as the applicant will be verifying all information provided pursuant to 52 Pa. Code § 1.36.

<sup>4</sup> See, May 23, 2013 CSP Order, at 2-6.

<sup>5</sup> See, May 23, 2013 CSP Order, at 6-8.

8. Department registered agent contact information, if applicable.

9. Signature of principal official filing application on behalf of Applicant and printed name and title of that official.

10. Affidavit of principal official attesting to the accuracy of information provided.

11. Registration fee in a form prescribed in 52 Pa. Code § 1.42.

In the Tentative Order we proposed adding a requirement for the disclosure of any business partnership or contract that the Applicant has with a CSP or an EDC in order to ascertain whether subcontractor arrangements were entered into by CSPs that are owned by, partners of, or affiliates of an EDC. As stated in the 2009 CSP Registry Order, the Commission believes that the Act is clear and free from all ambiguity with respect to the requirement that a CSP can have no direct or indirect ownership, partnership or other affiliated interest with an electric distribution company.<sup>8</sup> To ensure that this provision of the Act is complied with, we proposed requiring disclosure of contracts, subcontracts and partnerships that the CSP applicant currently has with any EDC or registered CSP. We further proposed that registered CSPs update this information on a continuing basis. Additionally, we also proposed requiring that any CSP subcontractor that is directly performing services under the contractual obligations of an EDC contracted CSP to also be registered as a CSP.

With regard to the proposed requirement for Department registered agent information, the Commission emphasized that there exists varied statutory obligations for entities conducting business in the Commonwealth. We noted that to facilitate timely review of CSP applications, it is imperative that an applicant that does not maintain a principal office in the Commonwealth to have appropriately registered with the Department. Failure to do so significantly delays the CSP application process. Therefore, the Commission proposed in the Tentative Order to include a notice in the application for applicants with no principal office in the Commonwealth to register with the Department and to provide contact information for a Department-approved registered agent when filing their CSP application.

Finally, we proposed to require a signature of a principal official. This was proposed to ensure that the Commission has contact information for a principal officer of all registered CSPs. We believe that provision for the identity and signature of the Applicant's principal officer will reduce the time and resources allocated to the CSP renewal application process.

In its February comments, the EAP stated that the additional requirement relating to registration of a CSP subcontractor is unnecessary and asserted that by requiring the CSP to provide information on the subcontractor's affiliation with an EDC would be adequate. EAP recommended that the requirement be revised to read as follows:

Any CSP sub-contractor with an annual contract cost of \$300,000 or greater that is directly performing services pursuant to a contract with a CSP which has

contracted with an EDC after Commission approval should also register as a CSP. This does not include third party contractors which participate in or support an EEC program but are not directly contracted with a CSP which has a direct contractual relationship with the EDC subject to Act 129.<sup>9</sup>

Beyond this specific requirement, EAP did not object to the format or content of the modified application package as presented in Annex A of the Tentative Order or any of the other proposed requirements in this regard.

As noted above, with the May 23, 2013 CSP Order, we adopted all proposed requirements relating to the application package with one exception. In considering EAP's comments relating to the need to require CSP subcontractors to register with the Commission, we agreed with EAP, in part, that additional clarifying language in the modified application package is needed to address our concerns. We, however, were unable to determine, based on the comments provided, whether the \$300,000 annual contract amount suggested by EAP is appropriate and reasonable. We found that EAP had failed to demonstrate how this threshold amount would alleviate the Commission's concern that major portions of an EDC's EE&C plan are not being designed, administered, managed or implemented by an unregistered CSP. For these reasons, we sought additional comments on the language provided by EAP and, in particular, justification for any particular subcontractor annual contract cost threshold, or other minimum indicator for requiring subcontractors to register as a CSP.

#### *Comments and Resolution*

In its June 24, 2013, EAP acknowledges the Commission's concerns regarding the EAP's February proposal to set a \$300,000 annual threshold amount and the fact that it may allow a significant portion of an EDC EE&C Plan to be designed, administered, managed or implemented by an unregistered CSP. EAP states that its language was offered to avoid unnecessary filings. To address this concern, the EAP, in its June comments, proposes a 10% annual contract cost threshold in place of the \$300,000 threshold.<sup>10</sup>

We agree with EAP and adopt the use of the 10% annual contract cost threshold to require CSP subcontractors to also register as CSPs. Specifically, we shall require registration of CSP subcontractors with an annual contract cost that equals or exceeds 10% of the CSP total annual contract cost to perform services pursuant to an EDC EE&C Plan. As such, we have modified the instructions regarding completion of applications for CSP registration to include the following language that addresses this requirement:

Any CSP subcontractor with an annual contract cost that equals or exceeds 10% of the CSP annual contract cost and is directly performing services pursuant to a contract with a CSP which has contracted with an EDC after Commission approval should also register as a CSP. This does not include third party contractors which participate in or support an EEC program but are not directly contracted with a CSP which has a direct contractual relationship with the EDC subject to Act 129.

<sup>8</sup> See 2009 CSP Registry Order at 8.

<sup>9</sup> EAP February Comments at 2.

<sup>10</sup> EAP June Comments at 3.



With this modification, the Commission will adopt the use of the revised CSP Registration Application, which is attached to this Order as an Annex. *Therefore,*

*It Is Ordered That:*

1. The Commission hereby adopts the Conservation Service Provider Application for Registration, as modified by this Order as found in the Annex to this Order.

2. This Order and Annex be published in the *Pennsylvania Bulletin* and served on the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, the Energy Association of Pennsylvania and all jurisdictional electric distribution companies.

3. All Conservation Service Provider subcontractors with an annual contract cost that equals or exceeds ten percent of the Conservation Service Provider's total annual contract cost to perform services pursuant to an electric distribution company energy efficiency and conservation plan must also be registered as Conservation Service Providers consistent with this Order.

4. The Commission's Bureau of Technical Utility Services shall maintain and administer the CSP registry, as outlined in this Order.

5. This Docket be closed.

ROSEMARY CHIAVETTA,  
*Secretary*

**Annex**

**Instructions for Conservation Service Provider (CSP) Application for Registration in the Commonwealth of Pennsylvania**

**Do not include these instructions with the filing of the Application**

The attached application form is for those entities that desire listing on the Public Utility Commission's registry of qualified conservation service providers ("CSP"), as defined by Act 129 of 2008. An entity that is directly or indirectly owned, partnered or in any way affiliated with an electric distribution company ("EDC") is not eligible for the registry.

Only registered CSPs may advise an EDC and/or provide consultation, design, or administration or management services to an EDC related to the implementation of the EDC's Energy Efficiency and Conservation Plan. Any CSP subcontractor with an annual contract cost that equals or exceeds 10% of the CSP annual contract cost and is directly performing services pursuant to a contract with a CSP which has contracted with an EDC after Commission approval should also register as a CSP. This does not include third party contractors which participate in or support an EEC program but are not directly contracted with a CSP which has a direct contractual relationship with the EDC subject to Act 129.

To qualify an applicant must have at least two years of experience in providing program consultation, design, administration, management or advisory services related to energy efficiency and conservation services. CSP registration is not required of entities that limit their services to the installation of energy efficiency measures or the provision of equipment or materials to EDC customers or the public in general.

You may use the attached form to make your application. If you need more space than is provided on this form

or if you are attaching exhibits, attach additional pages and exhibits immediately following the page containing the item(s) being addressed. Certified copies of documents from Commonwealth agencies or departments are not required.

Complete and sign the application and attest to the truth and accuracy of your responses to all application questions by signing and notarizing the enclosed Affidavit. File the application and Affidavit with the Secretary's Bureau as instructed in the application.

Failure to adequately respond to each question on the application may result in denial of your application for registration. Questions pertaining to completion of this application may be directed to Annunciata Marino, Utility Energy and Technology Analyst, Bureau of Technical Utility Services at (717) 772-2151.

If your response to any of the items on this application changes during the pendency of your application or if the information relative to any item herein changes while you are operating as an approved CSP within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission as to the specifics of any changes by completing a Petition for Update of Conservation Service Provider Application. A template for this Petition is provided on the Commission's website at: [http://www.puc.state.pa.us/utility\\_industry/electricity/conservation\\_service\\_providers\\_registry.aspx](http://www.puc.state.pa.us/utility_industry/electricity/conservation_service_providers_registry.aspx).

*On Matters Concerning Confidentiality:* If any of your answers require you to disclose what you believe to be privileged or confidential information not otherwise available to the public, you should designate at each point in the Application that the answer requires you to disclose privileged and confidential information. You should then submit the information on documents stamped "CONFIDENTIAL" at the top in clear and conspicuous letters and submit one copy of the information under seal to the Secretary's Office along with the Application. Applicant must fully support its request to maintain confidentiality for the information which it believes to be confidential or proprietary. Such request shall be deemed to be a Petition for Protective Order and will be ruled upon by the Commission in conjunction with the license application. Pending disposition, the information will be used solely for the purpose of evaluating the license application, and the confidentiality of this information will be maintained consistent with the Commission's rules and regulations pertaining to confidentiality.

**Conservation Service Provider ("CSP") Application for Registration in the Commonwealth of Pennsylvania**

Conservation Service Providers ("CSPs") have a specific role under Act 129, which requires a covered Electric Distribution Company's Energy Efficiency and Conservation (EE&C) plan to include one or more CSPs to "provide information and technical assistance on *measures* [italics emphasized] that enable a person to increase energy efficiency or reduce energy consumption." 66 Pa.C.S. §§ 2806.1(b)(1)(i)(e) & 2806.1(m). As such, registration of business entities as approved CSPs is required before entering into a contract agreement with an EDC exclusively for the provision of consultation, design, administration, management or advisory services regarding that EDC's EE&C plan. This registry is not intended as a



resource of business, whose sole purpose is the installation of measures, supplying equipment or other contracting work for use by the general public and EDC customers. If providing such services, registration as a CSP is not required for entering into an agreement with an EDC.

1. *Identity of the Applicant*

a. Legal Name of Applicant:

Attach proof of compliance with appropriate Pennsylvania Department of State filing requirements.<sup>11</sup>

b. Trade or Commercial or Fictitious Names Used by Applicant (d/b/a)—List all that apply.

☐ The Applicant will be using a fictitious name or doing business as (“d/b/a”). Identify names below. If more space is needed, list names on the back of this page or append list to completed application.

☐ The Applicant will not be using a fictitious name.

c. Applicant Address:

d. Applicant Telephone No:

e. Applicant FAX No:

f. Applicant Email Address:

g. Contact Information for Applicant, if different from that listed above. PLEASE NOTE: Upon approval of this application, this Contact Information will be listed on the Commission’s CSP Registry. If this information is the same as above, please note below.

■ Name

■ Mailing Address

■ Telephone and FAX Nos.

■ Email Address

h. Predecessor(s) & Other Names used by Applicant for past five (5) years of date of this application. Provide Name(s), Address(es) and Telephone No.(s).

☐ Check Box if any Predecessor(s) is currently or was previously registered in Pennsylvania as a CSP. If affirmative, please provide Docket No(s). (A-[Year]-[Seven (7) Digits]) and names for all registered CSPs.

i. Parent & Subsidiary Companies & Affiliates:

☐ Parent Name and Contact Information. Check Box if any affiliate is currently doing business in Pennsylvania as a CSP or Electric Distribution Company (EDC).

☐ Subsidiaries and Contact Information. Check Box if any affiliate is currently doing business in Pennsylvania as a CSP or Electric Distribution Company (EDC).

☐ Affiliate(s) and Contact Information. Check Box if any affiliate is currently doing business in Pennsylvania as a CSP or Electric Distribution Company (EDC).

j. Contracts & Business Partnerships:

☐ Check Box if within the past five (5) years, Applicant has operated under contract or has sub-contracted with or has partnered with a CSP or EDC. Provide company name and contact information and briefly describe the nature of business services associated with each contract and/or partnership. If “None,” do not check the box and answer “None” below.

k. Identify principal officers (owners, executives, partners and/or directors), as appropriate for Applicant’s organizational structure. Provide an organizational chart and the names, titles, business addresses and telephone numbers for each office.

1. Attach to this Application a brief biography or single page professional resume for all principal officers and management directly responsible for Applicant’s operations.

2. *Registered Agent*

a. If the Applicant does not maintain a principal office in the Commonwealth, the Applicant is required by the Pennsylvania Department of State to designate an approved Registered Agent as its representative in the Commonwealth. Check one of the Boxes below, as applicable:

☐ YES, the Applicant has registered its business with the Pennsylvania Department of State. Following is the Name and Contact information for the Applicant’s Department-Approved Registered Agent.

■ Registered Agent’s Name

■ Registered Agent’s Mailing Address

■ Registered Agent’s Telephone and FAX Nos.

■ Registered Agent’s Email Address

☐ NO, the Applicant has not registered its business with the Pennsylvania Department of State. STOP—To avoid denial of your application and forfeiture of your application fee, you should contact the Pennsylvania Department of State Bureau of Corporations to register as a business entity within the Commonwealth PRIOR TO completion and filing of this application with the Pennsylvania Public Utility Commission.

b. Applicant has registered its business with the Pennsylvania Department of State. Please check appropriate registration type for Applicant as designated with the Department.

☐ Sole proprietor (15 Pa.C.S. § 4124)

☐ Domestic corporation (none)

☐ Domestic general partnership (15 Pa.C.S. § 4124)

<sup>11</sup> A copy of any document from the Pennsylvania Department of State (Pa. Dept. of State) documenting the Applicant’s Pa. Dept. of State entity number is adequate. However, the document must indicate that the Applicant’s Pa. Dept. of State registration is “active.” Certified copies of Pa. Dept. of State documents are not required.

- ☐ Domestic limited liability company (15 Pa.C.S. § 8913)
- ☐ Domestic limited liability partnership (15 Pa.C.S. § 8201)
- ☐ Foreign corporation (15 Pa.C.S. § 4124)
- ☐ Foreign general or limited partnership (15 Pa.C.S. § 4124)
- ☐ Foreign limited liability company (15 Pa.C.S. § 8981)
- ☐ Foreign limited liability general partnership (15 Pa.C.S. § 8211)
- ☐ Foreign limited liability limited partnership (15 Pa.C.S. § 8211)
- ☐ If Applicant is not domiciled in the Commonwealth of Pennsylvania and is registered as a "foreign" entity, please identify all other states where applicant is registered by the appropriate state department:

### 3. *Applicant's Operations*

Respond to each of the following four questions relating to Applicant's operations and its technical and financial fitness. Respond to each item and attach any additional information and/or statements to this Application as appropriate.

#### a. Describe nature of business:

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- ☐ Applicant is presently doing business in Pennsylvania
- ☐ Applicant is presently not doing business in Pennsylvania

b. The Applicant proposes to provide the following information and technical services to an EDC. Check all services that apply and identify all EDCs with whom Applicant intends to conduct business.

- ☐ Consultation EDCs: \_\_\_\_\_
- ☐ Design \_\_\_\_\_
- ☐ Administration \_\_\_\_\_
- ☐ Management \_\_\_\_\_
- ☐ Advisory \_\_\_\_\_

c. Attach to this Application a copy of any certification(s) or similar documentation that would demonstrate the technical fitness of Applicant, such as membership in trade associations, professional licenses, technical certifications, and/or names of current or past clients with a description of dates and types of services provided by Applicant.

d. Attach to this Application proof of current liability insurance coverage.

### 4. *Compliance*

Respond to each of the following Questions. Provide a statement as to the resolution or present status of any such proceedings, if applicable.

a. In the past three years has the Applicant, the parent company, an affiliate or predecessor or partner (contractor/subcontractor business relationship) of the Applicant, or any person identified by the Applicant in this Application, been investigated or convicted of a crime

involving fraud, theft, larceny, deceit, violation of consumer protection law, violation of deceptive trade law or similar activity, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent?

- ☐ No
- ☐ Yes. Provide explanation.

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b. Is the Applicant, the parent company, an affiliate, or a predecessor of either, currently delinquent with any state or federal taxing authority?

- ☐ No
- ☐ Yes. Provide explanation.

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c. Identify all bankruptcy or liquidation proceedings for the prior three years. If none, provide a statement to this effect.

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d. Identify all customer complaints filed with a regulatory or prosecutor agency for the prior three years of the date of this application. If none, provide a statement to this effect.

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### 5. *Falsification*

The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application, or if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa.C.S. §§ 4903 and 4904, relating to perjury and falsification in official matters.

### 6. *Fees*

The Applicant must submit a check payable to the Commonwealth of Pennsylvania with this Application. The fee for this Initial Application is \$125. Check should be made payable to the Commonwealth of Pennsylvania.

### 7. *Affidavit*

Applicant must complete and submit with this Application and any subsequent documentation submitted to the Commission, such as emails, letters, and written responses to Commission data requests, the attached Affidavit, which must be signed by the Affiant and signed and dated by the official administering the oath, that to the best of the Applicant's knowledge, information and belief that the facts set forth in this Application and all subsequent submissions are true and correct.

### 8. *Filing & Signing of Application*

File a signed and verified original and one copy of the completed application along with any attachments in

person or by first class mail, with your check (if applicable) to the following address:

Filing in person: Secretary  
Pennsylvania Public Utility  
Commission  
Commonwealth Keystone  
Building  
400 North Street  
Harrisburg, PA 17120

Filing by first-class Mail: Secretary  
Pennsylvania Public Utility  
Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Signature of Principal Official: \_\_\_\_\_

Official's Name & Title: \_\_\_\_\_

Date: \_\_\_\_\_

### AFFIDAVIT

[Commonwealth/State] of \_\_\_\_\_ :

ss.

County of \_\_\_\_\_ :

\_\_\_\_\_, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the \_\_\_\_\_ (Office of Affiant) of \_\_\_\_\_ (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein \_\_\_\_\_ has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be registered as a conservation service provider pursuant to Act 129 of 2008.

That the Applicant herein \_\_\_\_\_ acknowledges that it has answered the questions on the application correctly, truthfully and completely and has provided supporting documentation as required.

That the Applicant herein \_\_\_\_\_ acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein \_\_\_\_\_ acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature of official administering oath

My commission expires: \_\_\_\_\_.

[Pa.B. Doc. No. 13-1420. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Navigator Telecommunications, LLC

Public Meeting held  
July 16, 2013

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; Wayne E. Gardner; James H. Cawley; Pamela A. Witmer

*Navigator Telecommunications, LLC;*  
*A-310898; A-310898F0002; A-310898F0003*

### Tentative Order

*By the Commission:*

Navigator Telecommunications, LLC (Navigator or the Company), whose utility code is 310898, is a competitive access provider, a competitive local exchange carrier, and a telecommunications interexchange reseller certificated at A-310898, A-310898F0002, and A-310898F0003, respectively, on January 5, 2001.

Within the last few years, Navigator has become delinquent in a number of areas. For example, Navigator has failed to (1) file its annual reports for 2011 and 2012 as required by 66 Pa.C.S. § 504 and our regulations at 52 Pa. Code § 63.36; (2) file its annual assessment reports and pay its assessments for 2011 and 2012 as required by 66 Pa.C.S. § 510; (3) file its 2012 Telecommunications Relay Service Annual Access Line Summary Report by March 31, 2013, pursuant to 66 Pa.C.S. § 504; and (4) file its Physical Cyber Security Planning Self-Certification Report by April 30, 2013, as required by 52 Pa. Code §§ 101.1—101.7. Additionally, the Company has failed to pay its monthly universal service fund payments to our third-party administrator, Solix, for at least the past four months pursuant to 52 Pa. Code § 63.165.

Solix has advised Commission staff that Navigator's current monthly invoices are being returned as undeliverable and the contact telephone numbers on file are disconnected. Further research by Solix revealed an entry on the FCC Form 499 website that Navigator is "no longer active" as of July 15, 2012, and that the "company has gone out of business" with no sale of assets involved. Commission staff's attempts to reach the Company have similarly been unsuccessful, and staff has also found that at least several other state public service commissions are in the process of deactivating Navigator for failure to meet compliance requirements.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Currently, Navigator is not assigned any telephone number resources, and there are no informal or formal complaints pending against the Company before the Commission. Based on the above facts, we tentatively conclude that it is appropriate to revoke Navigator's certificate of public convenience without the necessity of a formal complaint as being in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301 and requiring Navigator to correct all delinquencies and pay any outstanding assessments, in lieu of cancellation, if it seeks

relief from this Tentative Order or if it should ever attempt again to do business as a public utility before this Commission; *Therefore*,

*It Is Ordered That:*

1. Revocation of Navigator Telecommunications, LLC's certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation & Enforcement, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this order becoming final, and without further action by the Commission, the certificates of public convenience held by Navigator Telecommunications, LLC at A-310898, A-310898F0002, and A-310898F0003 shall be canceled, and Navigator Telecommunications, LLC's name stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1421. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by August 12, 2013. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2013-2356176—Revised. Bestway Moving, LLC** (203 Yoakum Parkway, Apt. 808, Alexandria, VA 22304-3721) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in the Counties of Chester, Lancaster, Luzerne, Montgomery, Philadelphia and York.

**A-2013-2355890. Ivan K. Kulp** (200 West Huyard Road, New Holland, Lancaster County, PA 17557)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to

persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1422. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due August 12, 2013, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

*Pennsylvania Public Utility Commission, Bureau  
of Investigation and Enforcement v. Good  
Samaritan Limousine Service Inc;  
Doc. No. C-2013-2360387*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Good Samaritan Limousine Ser In, (respondent) is under suspension effective March 26, 2013 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 5004 Mountain Ridge Lane, Harrisburg, PA 17112.

3. That respondent was issued a Certificate of Public Convenience by this Commission on December 20, 2005, at A-00121679.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00121679 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hun-



dred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 5/2/2013

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the proposed penalty in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in this Complaint.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement v.  
Paul E Rosensteel Delivery Express;  
Doc. No. C-2013-2315802*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Paul E. Rosensteel, Delivery Express, Respondent, maintains its principal place of business at 413 Ruxton Street, Pittsburgh, PA 15211-2123.

2. That, on the date of the violation alleged in this Complaint, Respondent did not hold a Certificate of Public Convenience issued by this Commission.

3. That Information before this Commission indicates that you and your driver Kenneth J. Victorelli, have been holding out to provide Household Goods Transportation service for compensation between points in the Commonwealth of Pennsylvania. That Respondent, on September 4, 2012, was contacted by Enforcement Officer Ryan Balestra, a duly authorized officer of this Commission, via telephone, at phone number 412-773-3744. Officer Balestra, questioned Respondent if he has PA PUC Authority to move household goods. Respondent claimed that he does not have a moving company anymore, and was in the process of putting together the paperwork for PA PUC Authority.

4. That Respondent, in performing the act described in Paragraph 3 of this Complaint, violated 66 Pa.C.S. § 1101, in that Respondent transported property for compensation between points in the Commonwealth of Pennsylvania while not then holding a Certificate of Public Convenience issued by this Commission. The Bureau of Investigation and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$1,000.00. Future violations may result in possible criminal prosecution with penalties up to \$10,000.00 and one year in prison.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Paul E. Rosensteel, Delivery Xpress the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 3/12/2013

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the Complaint proceeding shall be closed. In such case, to prevent the suspension of your vehicle registration(s), you must file an affidavit stating that you understand the rules and regulations of the Commission and that you will no longer provide transportation between points in the Commonwealth of Pennsylvania without first obtaining a Certificate of Public Convenience issued by this Commission. If no affidavit is received within the twenty (20) day time period, the Bureau of Transportation will proceed with the request for suspension of your vehicle registration(s). Your response should be directed to:

Pennsylvania Public Utility Commission  
Bureau of Technical Utility Services  
Compliance Office  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement  
v. DBH Transportation, Inc.;  
Doc. No. C-2013-2359822

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are

prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to DBH Transportation, Inc., (respondent) is under suspension effective March 29, 2013 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1625 N 5th St, Reading, PA 19610.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 04, 2001, at A-00117202.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00117202 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/25/2013

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice,

52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the proposed penalty in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.



E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in this Complaint.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1423. Filed for public inspection July 26, 2013, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Application for Luxury Limousine Service in the City of Philadelphia

Application received by the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant for permanent authority to transport, as a common carrier, persons in luxury limousine service on an exclusive basis, between points in the City and County of Philadelphia and from points in the City and County of Philadelphia to points in Pennsylvania and from points in Pennsylvania to the City and County of Philadelphia.

**Dream Limousine Driving Services, LLC**, 1301 Glen Echo Drive, Huntingdon Valley, PA 19006, registered with the Commonwealth of Pennsylvania on May 11, 2013.

*Attorney for Buyer:* David R. Alperstein, 1515 Market Street, Suite 802, Philadelphia, PA 19102.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by August 12, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1424. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Stock Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. Loveleen Kaur has applied to transfer 100% of the stock of VIR Trans., Inc. (CPC No. 1018909-01, Medallion P-1434) held by the Estate of Bhajan Singh. VIR Trans., Inc. holds medallion rights to transport persons in taxicab

service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Loveleen Kaur**, 2301 Church Street, Philadelphia, PA 19124, VIR Trans., Inc. registered with the Department of State on December 18, 2006.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by August 12, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1425. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Stock Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant (Docket No. A-13-06-14). Nina Segalov has applied to transfer 33.3% of the stock of POC Cab Co., Inc. (CPC No. 1000599-01, Medallion P-0153, 0231, 0468, 0640, 0641) held by the Estate of Igor Segalov. POC Cab Co., Inc. holds medallion rights to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Nina Segalov**, 2301 Church Street, Philadelphia, PA 19124, POC Cab Co., Inc. registered with the Department of State on October 6, 2003.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by August 12, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1426. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Stock Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant (Docket No. A-13-06-13). Nina Segalov has applied to



transfer 33.3% of the stock of POC Taxi, Inc. (CPC No. 1000595-01, Medallion P-0299, 0300, 0342, 0748, 1197) held by the Estate of Igor Segalov. POC Taxi, Inc. holds medallion rights to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Nina Segalov**, 2301 Church Street, Philadelphia, PA 19124, POC Taxi, Inc. registered with the Department of State on October 6, 2003.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by August 12, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1427. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-09 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-1209 and 1213) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Lydor Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

*Attorney for Buyer:* David R. Alperstein, 1515 Market Street, Suite 802, Philadelphia, PA 19102.

*Attorney for Seller:* Eli Gabay, 8 Penn Center, 1628 JFK Boulevard, Suite 2200 Philadelphia, PA 19103.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by August 12, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1428. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-10 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-1174 and 1176) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Rika Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

*Attorney for Buyer:* David R. Alperstein, 1515 Market Street, Suite 802, Philadelphia, PA 19102.

*Attorney for Seller:* Eli Gabay, 8 Penn Center, 1628 JFK Boulevard, Suite 2200 Philadelphia, PA 19103.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by August 12, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1429. Filed for public inspection July 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-15 by the following named applicant. The company has applied to transfer the rights held by Trident, Inc. (CPC No. 1000230-01, Medallion P-1383) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**HRS Trans, Inc.**, 2301 Church Street, Philadelphia, PA 19124 registered with the Department of State on April 15, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by August 12, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday

or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1430. Filed for public inspection July 26, 2013, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v.  
Ta'miera Matlock, d/b/a Outta Da Blue; Doc. No.  
0886-45-2013**

On June 6, 2013, Ta'miera Matlock, d/b/a Outta Da Blue, license no. CB120146, of Scranton, Lackawanna County, was suspended effective July 8, 2013, for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the adjudication by writing to Juan A. Ruiz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Cosmetology's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY LOU ENOCHES,  
*Chairperson*

[Pa.B. Doc. No. 13-1431. Filed for public inspection July 26, 2013, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

**Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program**

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, so individuals interested in challenging this action should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

### Odor Management Plan—Public Notice Spreadsheet—Actions

| <i>Ag Operation Name,<br/>Address</i>                                     | <i>County/<br/>Township</i>                  | <i>Animal<br/>Equivalent<br/>Units</i> | <i>Animal<br/>Type</i> | <i>New or<br/>Amended</i> | <i>Action<br/>Taken</i> |
|---|--|--|------------------------|---------------------------|-------------------------|
| Schrack Farms<br>860 West Valley Road<br>Loganton, PA 17747               | Clinton County/<br>Greene Township           | 390                                    | Cattle                 | New                       | Approved                |
| Noah W. Kreider & Sons, LLP<br>301 Longview Drive<br>Middletown, PA 17057 | Dauphin County/<br>Lower Swatara<br>Township | 1953                                   | Layer                  | Amended                   | Approved                |
| John S. King<br>143 Amishtown Road<br>New Holland, PA 17557               | Lancaster County/<br>Earl Township           | 0                                      | Cattle                 | New                       | Approved                |

GEORGE D. GREIG,  
*Chairperson*

[Pa.B. Doc. No. 13-1432. Filed for public inspection July 26, 2013, 9:00 a.m.]

# SUSQUEHANNA RIVER BASIN COMMISSION

## Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on August 15, 2013, at 1 p.m. at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, PA. The public hearing will end at 2:45 p.m. or at the conclusion of public testimony, whichever is sooner. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for September 19, 2013, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is August 26, 2013.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission Water Resource Portal at [www.srbc.net/wrp](http://www.srbc.net/wrp). Materials and supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF](http://www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF).

### *Opportunity to Appear and Comment*

Interested parties may appear at the hearing to offer comments to the Commission on any project listed as follows. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's web site, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement these rules at the hearing. Written comments on any project listed as follows may also be mailed to Richard Cairo, General Counsel, Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391 (beginning July 29, 2013, the Commission's address is 4423 North Front Street, Harrisburg, PA 17110-1788), or submitted electronically through <http://www.srbc.net/pubinfo/publicparticipation.htm>. Comments mailed or electronically submitted must be received by the Commission on or before August 26, 2013, to be considered.

### *Supplementary Information*

The public hearing will cover the following projects:

#### *Projects Scheduled for Rescission Action*

1. Project Sponsor and Facility: Chevron Appalachia, LLC (Cambria Somerset Authority), Summerhill Township, Cambria County, PA (Docket No. 20110630).

2. Project Sponsor and Facility: Chevron Appalachia, LLC (Highland Sewer and Water Authority), Portage Township, Cambria County, PA (Docket No. 20110631).

#### *Projects Scheduled for Action:*

1. Project Sponsor and Facility: Borough of Akron, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.396 mgd (30-day average) from Well 5A (Docket No. 19811201).

2. Project Sponsor and Facility: Borough of Akron, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.166 mgd (30-day average) from Well 6 (Docket No. 19820101).

3. Project Sponsor and Facility: Borough of Akron, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.187 mgd (30-day average) from Well 8 (Docket No. 19820101).

4. Project Sponsor and Facility: Aqua Infrastructure, LLC (Tioga River), Hamilton Township, Tioga County, PA. Application for surface water withdrawal of up to 2.500 mgd (peak day).

5. Project Sponsor and Facility: Bending River Estates (Tioga River), Town of Lindley, Steuben County, NY. Application for surface water withdrawal of up to 0.400 mgd (peak day).

6. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Meshoppen Creek), Lemon Township, Wyoming County, PA. Modification to increase surface water withdrawal by an additional 0.446 mgd (peak day), for a total of 0.500 mgd (peak day) (Docket No. 20121202).

7. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Meshoppen Creek), Springville Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.500 mgd (peak day).

8. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Chemung River), Athens Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20090603).

9. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Sugar Creek), Burlington Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20090604).

10. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.440 mgd (peak day) (Docket No. 20080906).

11. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Terry Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.440 mgd (peak day) (Docket No. 20090605).

12. Project Sponsor and Facility: DS Waters of America, Inc., Clay Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.115 mgd (30-day average) from Well 6 (Docket No. 20000203).

13. Project Sponsor and Facility: Town of Erwin, City of Corning, Steuben County, NY. Application for groundwater withdrawal of up to 0.504 mgd (30-day average) from Well 5R.

14. Project Sponsor and Facility: Global Tungsten & Powders Corp., Towanda Borough, Bradford County, PA. Application for groundwater withdrawal of up to 4.800 mgd (30-day average) from a Well Field (Wells 1, 2 and 6—12).

15. Project Sponsor and Facility: Houtzdale Municipal Authority, Gulich Township, Clearfield County, PA. Application for groundwater withdrawal of up to 0.537 mgd (30-day average) from Well 14R.

16. Project Sponsor and Facility: LHP Management, LLC (Fishing Creek—Clinton Country Club), Bald Eagle Township, Clinton County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20090906).

17. Project Sponsor and Facility: Millersburg Area Authority, Upper Paxton Township, Dauphin County, PA. Application for renewal of groundwater withdrawal of up to 0.173 mgd (30-day average) from Well 10 (Docket No. 19830309).

18. Project Sponsor and Facility: Millersburg Area Authority, Upper Paxton Township, Dauphin County, PA. Application for renewal of groundwater withdrawal of up to 0.187 mgd (30-day average) from Well 11 (Docket No. 19830309).

19. Project Sponsor and Facility: Southwestern Energy Production Company (Wyalusing Creek), Wyalusing Township, Bradford County, PA. Application for renewal of surface water withdrawal with modification to increase by an additional 0.500 mgd (peak day), for a total of 2.000 mgd (peak day) (Docket No. 20090914).

20. Project Sponsor and Facility: State College Borough Water Authority, Ferguson Township, Centre County, PA. Application for renewal of groundwater withdrawal of up to 0.432 mgd (30-day average) from Well 41 (Docket No. 19820501).

21. Project Sponsor and Facility: State College Borough Water Authority, Ferguson Township, Centre County, PA. Application for renewal of groundwater withdrawal of up to 1.440 mgd (30-day average) from Well 43 (Docket No. 19820501).

22. Project Sponsor and Facility: State College Borough Water Authority, Ferguson Township, Centre County, PA. Application for renewal of groundwater withdrawal of up to 1.720 mgd (30-day average) from Well 53 (Docket No. 19820501).

23. Project Sponsor and Facility: Susquehanna Gas Field Services, LLC (Meshoppen Creek), Meshoppen Borough, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 0.145 mgd (peak day) (Docket No. 20090628).

24. Project Sponsor: SWEPI, LP (Tioga River), Richmond Township, Tioga County, PA. Application for renewal of surface water withdrawal with modification to increase by an additional 0.843 mgd (peak day), for a total of 0.950 mgd (peak day) (Docket No. 20090612).

25. Project Sponsor and Facility: Winner Water Services, Inc. (Manor #44 Deep Mine), Girard Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.144 mgd (peak day).

*Project Scheduled for Action Involving a Diversion:*

1. Project Sponsor: Winner Water Services, Inc. Project Facility: Sykesville Mine AMD, Borough of Sykesville, Jefferson County, PA. Application for an into-basin diversion of up to 1.000 mgd from the Ohio River Basin.

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* July 12, 2013.

PAUL O. SWARTZ,  
*Executive Director*

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